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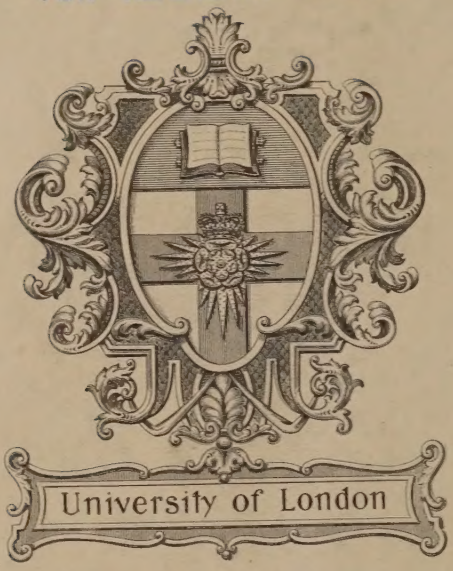

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FROM

COMMISSIONERS:

FIFTEEN VOLUMES.

—(5.)—

FAIRS AND MARKETS (IRELAND);

INCUMBERED ESTATES INQUIRY (IRELAND);

~~DUBLIN TURNPIKES.~~

Session

12 *December* 1854 —— 14 *August* 1855.

VOL. XIX.

1854-55.

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FROM

COMMISSIONERS.

VOL. XIX.

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1854-55.

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INTO THE

STATE OF THE FAIRS AND MARKETS

IN IRELAND.

PART II.

Minutes of Evidence.

Presented to both Houses of Parliament by Command of Her Majesty.

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1855.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

COMMISSIONERS APPOINTED TO INQUIRE

INTO THE STATE OF

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

COMMISSIONERS APPOINTED TO INQUIRE

INTO THE STATE OF

THE FAIRS AND MARKETS IN IRELAND.

DUNDALK, SEPTEMBER 28, 1852.

DUNDALK,
28th September, 1852.

1.
Peter Russell, esq.

Peter Russell, esq., examined.

1. Where do you reside?—In Dundalk.
2. What is your occupation?—I am a distiller.
3. Are you well acquainted with the market in this town?—I am.
4. Under what patent or authority is the market held?—I am not aware there is any.
5. When was this market established?—I do not know, but I have heard more than 250 years ago.
6. How often is a market held, and what are the market days?—Monday is the regular market day, but corn is sold every day at the merchants' stores.
7. Who is the present owner of the market?—I do not conceive there is any owner at present; Lord Roden collected tolls for many years, under an old patent, but in consequence of his right to the tolls having been resisted by a person of the name of Pinching, who ultimately succeeded in an action at law, his lordship abandoned his claim to all tolls and customs, and the market has ever since been free. The present market-house is the private property of Lord Roden, and could be closed by him to-morrow. The greater portion of the house is appropriated to a ball-room, a reading-room, a lending library, and private apartments; a covered way underneath being alone devoted to market purposes.
8. Is there an enclosed market-place?—There is not; there is only an open space in front of the market-house.
9. Is the sale of agricultural produce confined to this place?—No; not one-twelfth portion of the agricultural produce sold in the town comes into this market; usage has apportioned certain parts of the streets for the sale of corn, and the greater portion is sold and weighed at the merchants' private stores.
10. Will you explain the manner in which sales are conducted at the merchants' private stores, the system of weighing there, and what deductions and charges are made?—A farmer brings his corn direct to the stores, and having agreed as to price, his corn is weighed at the merchants' scales—the smallest weight used in weighing grain is seven pounds—a deduction of seven pounds for the weight of the empty sack and beamage is taken from the gross weight, where the corn only weighs from eight stone to sixteen stone; if the corn weighs twenty stone a deduction of one stone is made; if over forty stone a deduction of one stone and a-half per sack.
11. Is this a fixed rule of the merchant, and adhered to in every instance?—No; what I have stated is the usual custom, I believe, but some discretion is exercised by the merchant.
12. Are we to understand, that the deduction for the sack depends upon the quantity of corn it contains?—Generally speaking, it is considered that a large quantity requires a stronger and heavier sack.
13. Is the actual weight of the empty sacks never ascertained, and taken into consideration in making this deduction?—The filler can have his empty sacks weighed if he chooses.
14. What course is then adopted?—If a sack weighs under seven pounds, seven pounds are deducted; if from seven pounds to fourteen pounds, fourteen pounds are deducted; and if above fourteen pounds, a stone and a-half; if the sack be above twenty-one pounds, the deduction is in proportion.
15. If a sack weigh eight pounds, what would be deducted?—Fourteen pounds.
16. And the seller would thereby lose six pounds?—Undoubtedly.
17. Does not the seller, in addition to this loss, generally lose by the smallest weight used being only seven pounds?—Not in every case, as the large farmer weighs and trims his bags at home.
18. But in the case of the poorer class, who have not the means of weighing at home?—They certainly might lose.

DUNDALK, 28th September, 1852.

1.

Peter Russell, esq.

19. If the grain in the sack weighed twenty stones and six pounds, what would be allowed for it?—Only twenty stones.

20. Are there any other deductions or charges at the private stores besides those you have mentioned?—Yes; the merchant charges the farmer one penny per sack porterage.

21. If a person weighed his corn at the public scales, would he still have to pay this charge?—Certainly; the merchant in every instance requires the corn to be weighed in his own store; if the seller weighs in the public scales, he does so for his own satisfaction, and at his own expense, as the sum of one penny per sack is charged to the seller, whether the corn is weighed in the public scales or not.

22. Would it be possible to ascertain, in numbers, the quantity of corn, &c., sold daily, weekly, or yearly, in Dundalk?—Quite impossible at present, as a very small proportion is sold and weighed in the public market; but I will endeavour, from returns in my possession, obtained from the various merchants a short time ago for railway purposes, to furnish you with a rough estimate.

23. What would you say was the greatest number of barrels of corn delivered at the merchants' stores and in the market in one day?—I should say 5,000 barrels was the greatest number ever delivered, even in the heaviest part of the season.

24. What is the weight of a barrel of wheat?—Twenty stone. Of oats?—Fourteen stone. Of barley?—Sixteen stone. Of potatoes, vetches, peas and beans?—Twenty stone.

25. Is a stone weight always calculated at fourteen pounds avoirdupois?—Yes, with the exception of wool, a stone of which is calculated at sixteen pounds.

26. Does a hundred-weight always consist of eight stone of fourteen pounds?—It does.

27. Is there an inspector of butter, and is it sold by weight or lump?—There is an inspector of butter, who will give you the necessary information with regard to that market.

28. Is there an inspector of weights and measures?—No; I believe those duties should now be performed by the Constabulary, but for some reason or other this duty has not been discharged by any person for the last two years, and the standard weights are still in the possession of the late inspector, and a vast number of abuses and frauds have in consequence arisen. This subject is one requiring immediate revision and correction.

29. Are you aware of any frauds having been practised in consequence of the weighing being almost entirely confined to the merchants' stores?—I have known many such instances. I have known of parties who weighed their corn in the public scales, and who subsequently took it to the dealer's store, without apprizing them of its having been previously weighed; upon being weighed in the merchant's scales, a return was given to the seller for a lesser quantity than that which appeared in the weighmaster's docket; and upon the dealer being informed of the difference, he paid the seller for the quantity as returned by the weighmaster, sooner than allow the transaction to be exposed; and in some instances where the grain had been spilled before the former objected, the seller had no remedy.

30. Is it your opinion that it would be desirable or advantageous that all agricultural produce should be sold and weighed in the public market?—I think such a course would be very desirable, but at present the market accommodation is totally inadequate to admit of such a course, and I fear that the merchants might be opposed to such an arrangement, unless very ample market accommodation, properly located, were devised.

31. Have you any further suggestion you would wish to offer to the Commissioners upon this subject?—None, except what I have before stated, that I consider the market accommodation very insufficient, and that great inconvenience and confusion arises from the diversity of weights and measures, an equalization of which would be most conducive to the benefit and convenience of the public, and calculated to put an end to frauds, which are of daily occurrence, and result principally from the present defective and undefined mode of beamage, weighing, and inspection of weights. These remarks have reference generally to the corn trade; but in the sales of butter, potatoes, and other farm produce, great abuses exist. With regard to fairs, there are no tolls or customs charged at any fair held in this town. There are twelve fairs held in the year, one on the third Wednesday in every month. I conceive a market jury, appointed in each market town, would be very desirable, for the purpose of checking frauds among provision dealers, and inspecting meat and all other kinds of food.

2.

Mr. Wm. M'Cullagh.

Mr. *William M'Cullagh* examined.

32. Where do you reside?—In Dundalk.

33. What is your occupation?—I am a farmer and draper.

34. You have heard the questions that have been put to Mr. Russell, and the answers he has been good enough to favour us with;—have you any further information you can afford us, or any suggestions you would wish to offer to the Commissioners upon the subject-matter of their inquiry?—I consider all the arrangements in this town, with regard to the markets, most defective; gross frauds are practised, and great abuses exist. I should wish to impress upon the Commissioners that the market accommodation is quite insufficient; that most unfair and illegal deductions are made from the seller under various pretences and names, as detailed by Mr. Russell; that there is no meat market or shambles and great inconvenience arises from slaughtering cattle in cellars and other places unsuited for that purpose; that the butter trade, formerly very flourishing, has completely dwindled

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2.

Mr. Wm. M'Cullagh.

away from want of proper supervision and effective arrangements: as an instance, I may mention, a farmer, who keeps a large dairy within a mile of this town, who transmits his butter to Newry, a distance of ten miles, Irish, owing to the advantages he experiences there from the market being conducted on a better system. I regret to say, that in consequence of the want of inspection of weights and measures, which has not taken place in this town for two years, a vast number of huxters have established scales and weights very deficient in due weight, and utterly unfit for the purpose; for instance, I saw this day, as a substitute for weights, bricks and stones used for weighing potatoes and other articles. I must also mention, that in addition to the charge for weighing at the public market, which has been detailed to you, the farmer is generally mulcted of 1*d.* per sack, by labourers or parties who attend, with the sanction of the weighmaster, and force their services upon the farmer having recourse to the public scales. I also submit, that this town labours under great disadvantages, arising from the privilege claimed by Drogheda, of postponing, until Monday (which is our market-day), any fairs which may take place on a Saturday within ten miles of their town; the effect of this privilege, for this year alone, being, to throw thirty fairs on thirty Mondays out of the fifty-two, within ten miles of this, to the great detriment of our market and town. I also consider the charge of porterage of 1*d.* per sack, charged by the merchants, a great imposition, and a serious loss and injury to the seller; every person making a delivery is obliged to send one or more of his own labourers to assist in hoisting up the grain, and he has actually got to pay the merchants for their labour. The merchant staff for hoisting consists of four men, generally speaking, who are able to do the work with the assistance of the farmer's men, and he pays these four men 1*s.* 2*d.* per day, a total of 4*s.* 8*d.* These men hoist in, from the different sellers, at least 500 sacks a day; the amount received for which from the farmer would be £2 1*s.* 8*d.*

35. Have you ever heard of complaints being made as to the system of weighing in private scales?—Yes; I recollect having sold corn to a dealer, which I had weighed at my farm, and on weighing it at his store, a deficiency of nine pounds per sack appeared.

36. Is this the only case that ever came to your knowledge?—No; I recollect being one of the market jurors for this town, and when going round examining the weights at the several stores, I had a policeman placed in each store to prevent the removal of any of the weights. In one establishment the persons in it attempted to take away some of the weights, when a scuffle ensued, and two weights were thrown out of the store window, which the policeman afterwards got into his possession. On my arrival there I was informed of what had occurred, and had these two weights tried by the standard, and found, instead of being a half hundred-weight or fifty-six pounds each, they were sixty pounds, being four pounds on every weight above their due, and when used, gave the buyer 120 pounds of corn instead of 112 pounds.

Mr. *Richard Gray*, Weighmaster, examined.

3.

Mr. Richard Gray.

37. Under what authority is this market held?—I am not aware.

38. What situation do you hold in the market?—Weighmaster.

39. By whom were you appointed?—By Lord Roden, fifteen years ago, on the first day of this month.

40. How often is the market held?—Once a week, every Monday is the regular market-day, but there is a market every day.

41. Have tolls ever been collected in your time?—Never; but as a boy I have heard they were charged.

42. The Commissioners have been informed by a previous witness that the sales of agricultural produce are not confined to the market-place; is this so?—It is; a very small proportion of the articles sold in this town, with the exception of potatoes and green crops, are sold or weighed in the regular market.

43. To what do you attribute this?—The farmer having, under any circumstances, to weigh and pay for doing so at the merchant's stores, is naturally unwilling to subject himself to the additional charge of weighing, at his own expense, in the public scales.

44. Have you ever known any inconvenience to have arisen, or any frauds to have been practised, in consequence of this system?—I have, in many instances; in one case, a farmer residing near this town weighed his corn in the public scales, and afterwards took it to a merchant's store without stating that it had been previously weighed, and he was defrauded of eight stone in one load of corn, nearly one-sixteenth of the entire quantity. Upon the seller producing the crane note, he was paid by the dealer for the quantity stated therein to have been weighed in the public scales, rather than allow the fraud to be exposed.

45. Are such instances common?—I have known of many such; indeed the present law is so defective and undefined, that a dishonest trader has an opportunity of defrauding the seller of almost any quantity he pleases, by unreasonable deductions and unfair weights.

46. Have you taken the oaths of office?—I have not.

47. What charges are made for weighing in the public scales?—One penny per sack is the only charge on the weighing of corn or potatoes, irrespective of the weight; I also charge for articles weighed on the weigh-bridge at the following rates: for carts drawn by asses, 2*d.*; on carts weighing under ten hundred-weight, 3*d.*; on cart loads weighing over ten hundred-weight, 4*d.*

48. What deductions are made from the gross weight in the nature of beamage, or any other allowance?—In corn seven pounds for each fourteen stone; fourteen pounds for any draught above twenty stone. In potatoes seven pounds for eight stone; from eight to twenty

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3. Mr. Richard Gray.

stone, fourteen pounds; from twenty to thirty-two stone, twenty-one pounds; above thirty-two stone, twenty-eight pounds; no greater deduction than twenty-eight pounds charged for any draught of potatoes. The foregoing is the list of deductions at the crane. At the weigh-bridge the deductions are as follows:—for potatoes in bulk in the cart one stone on every twenty stone; on potatoes in sacks the same allowance for dirt and the weight of the sacks as returned in the empty cart. I make no allowance on hay or straw, except in wet weather, and then one hundred-weight for every load.

49. Explain the system of weighing?—The beam is hung at a height of nine inches; the smallest weight used in weighing oatmeal is one pound, in corn and potatoes seven pounds. The turn of the beam is taken without requiring the sack to go to the ground; the smallest weight used at the weigh-bridge is two stone, except in potatoes, in weighing which one stone is used.

50. Do you keep market books containing entries of the names of the buyers and sellers, with the quantity and amount weighed in the public scales?—I do.

51. Will you have the goodness to produce them?—(*Witness hands in a book.*)

52. On looking over your book it appears to be defective; there is no entry of the price or the cost of the several articles contained in it, and the last entry in this book appears to have been as far back as 1841—(*Produces hay and straw book up to the present time, and block book of corn sales.*)

53. These books appear as defective as the last you have shown us, and how is the buyer or seller to ascertain those particulars?—I enter them in a docket, if required, and will, as you suggest, in future enter the price and cost of the several articles.

54. Could you, from these books, furnish statistics, if required, of the quantity, average price, and amount of sales during any given period?—It would be quite impossible for me to do so.

55. What is the gross amount of your receipts for weighing during the year?—I should say the average was £2 per week, or about £100 per annum. The highest amount I ever remember receiving in one week was £4, and I have received as little as 10*s.*

56. How have these weighing fees been disposed of?—I and an assistant are paid a salary of about £50 per annum. Lord Roden pays taxes for the market, which is rated at £70 per annum, and keeps the premises in repair.

57. Do you give any accommodation to the public for your salary besides your own attendance at the scales, and supplying dockets to the several parties?—I do not.

58. A previous witness has stated that parties force themselves, with your sanction, on sellers using the market, and if not employed by them they delay and inconvenience them as much as possible, by giving others precedence to the scales; is this so?—I am not aware of it; the parties are not paid by me, and I do not know of any person being obliged to employ them against their will.

59. Have you any further information or suggestions you would wish to lay before us?—I have not.

4. Mr. Henry Maxwell.

Mr. *Henry Maxwell* examined.

60. Do you hold any situation in Dundalk connected with the market?—I do; I am inspector of butter; I was appointed in 1824, by Mr. Bigger, the weighmaster of the butter-market.

61. What duties have you to discharge?—I scarcely have any thing to do at present. Last year I had only five firkins of butter to weigh, and this year I have only had four, amounting in value to about £3 5*s.*

62. What is your present salary, and by whom is it paid?—Forty guineas per annum, which I receive from Mr. Bigger, who pays me out of the compensation he receives from Government for the loss of his situation by Sir H. Parnell's Act. Any fees I now receive I account for, and hand over to Mr. Bigger.

63. What was the largest number of firkins you ever remember to have been sold in this market in one year?—In 1824 there were 30,000 firkins of butter sold in the market.

64. What was the largest number of firkins you ever inspected and weighed in one day?—Two thousand three hundred; I inspected them all myself.

65. Did you taste them all?—No; but I sufficiently examined them to enable me to give a good guess at their contents.

66. What fees are now paid on the weighing of butter?—Two pence per crock, which is 1*d.* for weighing the full, and 1*d.* for weighing the empty crock.

67. Did you ever make any note or entry of the quantity or quality of butter sold?—I did not; I merely marked, with a skiver, the weight on the firkin or crock.

68. Can you state the reason why the quantity of butter sold has so decreased in your market?—I conceive the reason to be the change in the laws, which has enabled people residing in the lower part of the town to erect beams of their own, and also to take their butter from the market without weighing it.

69. Have you any remedies to suggest?—None. I think there are more abuses under the present system than under the old, and would advise the old Act to be re-introduced.

The following witnesses were likewise under examination, but they merely corroborated the foregoing evidence, and nothing, not previously mentioned, was elicited:—*Samuel J. Turner, esq.*, late Chairman Town Commissioners; *John Townley*, J.P., Manager, National Bank of Ireland; *James M'Alister, esq., Michael Kelly, esq.*, Chairman Town Commissioners.

ARDEE, SEPTEMBER 29, 1852.

Mr. *James Doran* examined.

70. Where do you reside?—In the town of Ardee.

71. What is your occupation?—I am a farmer, and also clerk to the Town Commissioners.

72. Under what patent is this market held?—Under a patent granted by Queen Anne.

73. How often is your market held, and what are the market days?—Weekly; there is a corn market every Tuesday, and a meat market every Saturday.

74. Who is the present owner of the market?—The Town Commissioners are the proprietors, as successors to the old corporation.

75. Are tolls and customs charged on the market?—They are not, and have not been so for many years.

76. Are there enclosed market-places?—Yes, the corn market and the shambles are both enclosed.

77. Is the sale of all agricultural produce confined to those markets?—It is not; corn is generally sold in the streets of the town.

78. Has a weighmaster been appointed for the market?—A weighmaster has not been appointed by the Town Commissioners, and the person at present holding the office has never, I believe, been appointed.

79. Have a sufficient number of beams, scales, and weights been provided for the market?—Yes.

80. Is the weighmaster sworn under the 4th Anne, c. 14?—I believe not.

81. Is all agricultural produce weighed in the market scales?—It is not; the agricultural produce is seldom weighed in the market scales, except when a dispute arises between the buyer and seller as to the weight of the quantity sold.

82. Have you ever heard of any frauds having been practised in consequence of the agricultural produce not being weighed in the market scales?—I have heard of complaints about the weighing in private stores, but no case ever came within my own observation.

83. Explain the system of buying corn by private sale, and of weighing in private scales.—The merchant buys the corn, either in the street or by sample; the corn is then brought to the merchant's store and weighed in his own scales; if any dispute arises as to the weight it is taken to the market scales and weighed in them, and the weighmaster gives a docket of its true weight, which is taken to be the actual weight of the corn.

84. What deductions in the nature of beamage or allowance are taken from the gross weight of the corn, &c., by the merchant?—In weighing corn, half a stone is taken from every barrel for beamage, and half a stone for the weight of the sack.

85. Is this deduction always made for corn, irrespective of the weight of the sack?—It is.

86. Is any other deduction made in weighing any other kind of agricultural produce?—There is; in potatoes, a deduction of one stone in each barrel is made for dirt, half a stone for the weight of the sack, and half a stone for beamage.

87. Do you mean to convey that, in weighing corn, a stone is always deducted for beamage and sack, and that, in weighing potatoes, two stone for beamage, sack, and dirt?—I do.

88. What is the smallest weight used in weighing all agricultural produce in private stores?—The smallest weight generally used is seven pounds, but, I believe, the merchant sometimes uses a four-pound weight, but makes no allowance for less than seven pounds.

89. If the gross weight of twenty-two stone and six pounds of potatoes were put into the scale, for what weight would the seller be allowed?—He would be paid for twenty stone, only.

90. What is the weight of a barrel of wheat?—Twenty stone.

91. What of oats?—Fourteen stone.

92. What of barley?—Sixteen stone.

93. What of potatoes, rye, beans, peas, vetches, and all other descriptions of grain not already enumerated?—Twenty stone.

94. Is a stone weight always calculated at fourteen pounds avoirdupois?—It is, except in the case of wool, which is calculated at sixteen pounds per stone, and butter, which is calculated at fifteen pounds per stone.

95. Does a hundred weight always consist of eight stone of fourteen pounds avoirdupois?—It does.

96. Is there an inspector of butter?—No.

97. Is butter sold by weight or by lump?—By weight.

98. Under whose control are the sales of butter?—Under that of the weighmaster.

99. Could you state the amount of sales which take place in this market in the week or year?—I could not.

100. What are the principal articles sold in this market?—Corn is the principal produce of this county.

101. Is there an inspector of weights and measures?—No.

102. Is there any charge made by merchants for weighing?—Yes; 1*d.* per sack is charged under the name of porterage.

103. If the farmer sent his own servants to unload and deliver his corn at the merchant's stores, would he be charged with 1*d.* per sack, porterage?—He would, for such is the usage.

104. Is there a charge for porterage on meal?—There is.

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5.
Mr. James Doran.

105. Have you any further information to give the Commissioners, or is there any thing which you have not already mentioned that you wish to suggest?—I am ready to answer any question, but I do not feel myself competent to offer any suggestion.

Mr. *William Barron*, Acting Weighmaster, examined.

6.
Mr. Wm. Barron.

106. Where do you reside?—In the market-place of this town.

107. What is your occupation?—I am weighmaster of the market.

108. By whom were you appointed?—My father was weighmaster, and took the oaths of office: he died about six years ago. I acted as my father's assistant up to the time of his death, and since then have discharged the duties of weighmaster.

109. Have you received any appointment to the office of weighmaster since his death?—I have not.

110. Have the Town Commissioners ever recognised you as weighmaster since your father's death?—They have not.

111. By whom, then, are you paid?—I am paid by the public.

112. Do you give any account to any person of the sums received by you?—I do not make a return to any person.

113. Do you consider yourself in the position of proprietor of the market?—I do.

114. To whom does the market-house belong?—To Mr. Ruxton.

115. Who keeps the market-house in repair?—I do; and I am accountable to Mr. Ruxton for the rent of it.

116. Has Mr. Ruxton applied to you for rent?—He has; he distrained and auctioned my property for rent.

117. On what days are markets held?—On every Tuesday we have a market for corn; but I may mention that sales take place on every day at private stores.

118. Who is the present patentee?—I do not know.

119. Are any tolls paid at present in the market?—No; and have not been for eight or nine years.

120. Then do you claim a right to the office of weighmaster as successor to your father?—I suppose, when I pay the rent, I am the owner of it. The gross amount received by me would not pay the rent.

121. The Commissioners cannot understand from your replies whether you claim an hereditary right to the office of weighmaster, only; or whether you consider yourself the proprietor of the market. Will you explain yourself more fully?—I do not know what I am, but I conceive I am not accountable to any one.

122. Is there an enclosed market-place?—There is, at the back of the market-house.

123. Is the sale of all agricultural produce confined to it?—No, it is not; for it is not compulsory on sellers to bring their produce into the market-place.

124. How many scales have you in your market?—One large beam and scales, and a weigh-bridge.

125. What are the charges made by you for weighing agricultural produce?—One penny per sack.

126. Give a list of all your charges?—I charge 1*d.* per sack for all grain and potatoes; for hay and straw I charge 3*d.* per load, no matter what may be the weight.

127. What do you charge for wool?—One shilling per pack; but, if the parcel was very small, I only charge 3*d.*, or sometimes 6*d.*

128. Will you explain the system you adopt in weighing?—I never keep a book for the entry of sales, it would not be worth my while; but I give a docket, if required, to the party weighing.

129. What deduction do you make, under any name or title, in weighing a barrel of grain?—Fourteen pounds; that is, seven pounds beamage, and seven pounds empty sack. A private arrangement is sometimes made, when the sack weighs over seven pounds, the tare of the sack is allowed in addition to the beamage.

130. What is the smallest weight used in the market?—Seven pound in the scales, and twenty-eight pound in the weigh-bridge.

131. Is there any other deduction made by you in weighing agricultural produce?—In winter, when weighing potatoes, I deduct two stone for dirt, beamage, and sack; and in summer, one and a half stone.

132. When were your weights last adjusted?—They are adjusted every year, prior to the commencement of the wool season.

133. How many pounds in a stone of wool?—Sixteen pounds.

134. Is there a butter market?—No.

135. What is the amount of produce sold in the town?—I cannot say, as only a very small portion of it comes into the market.

136. What is the amount of weighing fees received by you in one year?—I cannot tell, but could swear that I have not received more than £14 or £15 per annum for the last three years.

137. How do you dispose of the receipts of the market?—In the repairs of the premises and for my own purposes; I never saw an account kept, by my father, of the receipts paid to him in the market, and I adopted the same scale of charges he did.

138. If the Government sent down to ascertain the amount and average price of agricultural produce sold in your market, in one year, could you afford them any satisfactory information?—I could not; I have no means to do so, at my disposal.

139. If a party sold produce in your market, and on his way home lost the ticket he received from you, could you supply him with a duplicate?—I could not; I keep a return of hay and straw, but not of corn.

140. Have you heard of any frauds being practised by the dealers?—I have not; I think matters are carried on fairly enough at present by them.

6.
Mr. Wm. Barron.

William Hatch, esq., Town Commissioner and J.P., examined.

7.
W. Hatch, esq.

141. You have heard the evidence of the foregoing witnesses; do you concur, generally, in that evidence?—I do not entirely. I do not agree in the statement that no frauds have been practised; Barron, the weighmaster, has been prosecuted for giving a docket for a greater quantity than the real weight, and true bills found by the Grand Jury against him. On another occasion, upon the charge of a man named Bradley, the magistrates considered the case proved, but, from the difficulty of obtaining a conviction, they only cautioned him against a repetition of such conduct. Many complaints have also been made of frauds practised in the market-place. The Town Commissioners claim title to this market. At the death of the father of Barron, who was the legally appointed weighmaster, they attempted to obtain possession of their premises, but, in consequence of his resistance, they failed in doing so, and they instructed their solicitor to proceed against him, but he has not done so, as they were in hopes that Government were about to bring in a bill for the improvement of towns, which would enable them to recover their rights, without being obliged to resort, in the present state of the law, to legal proceedings against a pauper. The rent of the premises has always been paid by the Town Commissioners to Mr. Ruxton, from whom they have a lease of the premises. The statement of Barron is wholly untrue; and the distress to which he referred was in consequence of an arrangement between Mr. Ruxton and the Town Commissioners, by which they allowed him to distrain the premises in the hope of compelling Barron to relinquish the possession, and for the purpose of obtaining the custody of the weights.

142. Would it, in your opinion, be desirable to oblige all sellers to have their produce sold and weighed in one public market-place, having a sufficient number of beams and scales, with an efficient staff of clerks and porters?—I think it would be very beneficial to the public, more particularly to the poorer classes.

143. Do you think that the merchants of this town would oppose such a measure?—I do not think that they reasonably could.

144. How many fairs are held in this town?—One every month.

145. Are any tolls charged?—None whatsoever, though the fair-green, a large space of seven acres, is the property of the Town Commissioners. While on this subject, I would wish to refer to a privilege claimed by Drogheda, which acts very injuriously to us: whenever our fair falls on a Saturday they claim the right of postponing it to the following Monday; in consequence, many persons come to Ardee on a Saturday, and find the fair postponed till the following Monday.

Mr. *James M'Cabe* examined.

8.
Mr. J. M'Cabe.

146. What is your occupation?—I am a trader. I was inspector of weights and measures in the town of Ardee, and consider that I am still so, as I have recently stamped some weights, and still keep my accounts, although I have not made an inspection.

147. What salary did you receive as inspector?—I never received any salary; I was never furnished with sufficient weights and measures, but I put up a pair of scales at my own expense, and purchased some weights and measures out of my own pocket; the rest were furnished to me by the Grand Jury.

148. By whom are the duties of inspector of weights and measures now discharged?—By no person. Some of the constabulary have recently informed me that I ought to hand over the weights and measures to them.

149. Are the duties of the inspector of weights and measures properly performed?—They are not; but I do not know of any frauds perpetrated in the market; at least, if they are, it is without my knowledge. The butter-market has been almost wholly given up.

Mr. *Thomas Caulfield* examined.

9.
Mr. T. Caulfield.

150. Where do you reside?—In the town of Ardee.

151. What is your occupation?—I am a trader.

152. You have heard the evidence which has been given; do you concur in it, or do you wish to offer any observations?—I do not agree with Mr. Hatch in thinking that a public market would necessarily be advantageous to the farmer, because the rich farmer who weighs the corn and trims the bags at home would derive little benefit, and might be delayed by having to weigh their corn in the market. With reference to the postponement of the fairs held in towns within ten miles of Drogheda, such is productive of great inconvenience, as the Liverpool market is held upon a Monday, and all the jobbers, dealers, and buyers in this neighbourhood attend it. I conceive that we should derive still greater benefit if the fair day of Ardee was changed to Friday.

153. Do you think if a public market were established, with sufficient accommodation in which all agricultural produce should be sold and weighed, without any of the delay you seem to fear, a benefit would be conferred upon the public?—It might be beneficial to the poorer class of farmers, but not to the richer, as it would be inconvenient to me, as a trader, to be obliged to buy entirely in the market.

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9.
Mr. T. Caulfield.

154. But if no delay were caused, and if there was proper attendance, with plenty of beams and scales, and a very small charge for weighing, why should either the rich farmer or the trader object to it?—I think we are very well as we are.

155. Have you any further suggestion to make?—I have not.

10.
J. Smith, esq.

J. Smith, esq., Chairman of the Town Commissioners, examined.

156. Can you suggest any thing in addition to what we have already heard?—Yes; I accompanied M'Cabe, about six years ago, through every house in the town, to inspect the weights and measures, and in almost every case we found them to be deficient in weight. In consequence, however, of our visit, the traders got their weights stamped. I have since been again appointed Chairman of the Town Commissioners; and a short time ago I accompanied Mr. Hatch through all the houses in this town, and found, on inspection, a very great number of weights and measures deficient and requiring to be regulated. Upon that occasion we found a fish jobber selling with very deficient weight; he promised, if we would let him off at that time, he would use proper weights. The frauds practised upon the poor in this way are disgraceful. I applied to the magistrates upon the subject, and they said the police had been appointed to inspect the weights and measures, but the police have denied that this is so; the magistrates have promised to bring the matter before the Grand Jury. I am of opinion, that it would be a great blessing to have some person appointed to be inspector of the weights and measures, and it is absolutely necessary to do so at once to put a stop to the frauds daily practised. I approve of the duty being discharged by the police, and I fully concur in the observations of Mr. Hatch, and may add, that the weights used in weighing butter are all deficient. I think the subject is one requiring the most anxious and earnest consideration.

157. Do you think that it would be beneficial to have the weights, for all agricultural produce, assimilated through the country?—I think it would; nor do I see any difficulty in doing so, except what would arise from old prejudices.

158. Of how many pounds does a stone of butter consist?—Of fifteen pounds—[*Mr. Smith here handed in returns he had made of the cattle sold in the fairs in this neighbourhood in the year* 1843, *and promised to continue those returns up to the present time, and transmit them to the Commissioners.*]

11.
R. Young, esq.

R. Young, esq., examined.

159. What is your occupation?—I am an extensive merchant in the town of Ardee.

160. Can you offer any suggestion in addition to those already made?—I think the present system of conducting the markets in the town very inconvenient, and should suggest that some further protection should be afforded to the farmer, by preventing the buyer from repudiating his contract, under the pretence that the grain did not correspond with the sample, where a fall takes place in the price of the corn; and to the merchant, by securing to him, that the grain delivered should correspond with the sample, and preventing the farmer from what is called forestalling, that is, after he has already entered into a contract for the sale of his grain and closed the bargain, reselling to a person at a higher price. I know of a case which occurred yesterday, of a quantity of grain which I really consider corresponded with the sample, having been rejected, as I believe, because there was a glut in the market. I think that a public market, in which all agricultural produce should be sold and weighed would be injurious to me, as it might occasion both expense and delay, but I consider some arrangement necessary to enforce fairness in all dealings between buyer and seller.

161. Of course there might be both inconvenience and delay, if all the corn had to be sold and weighed in the market, provided there was no more accommodation than at present; but if there was ample accommodation, and no delay resulted therefrom, would it be then injurious to you or to the farmer?—I do not suppose it could be.

162. What quantity of grain do you suppose was sold in this town last year?—Thirty thousand barrels of oats were delivered at our stores; but I should say that the greatest quantity of corn sold in this town in a week cannot exceed 2,000 barrels.

163. If the farmer sends his own servants with his carts, do you charge porterage?—We do, one penny per sack. If we did not, great delay and inconvenience would be occasioned; and although, at hurried times, the amount received as porterage greatly exceeds the wages paid to the men for weighing the corn and hoisting it on the lofts, on other days they have little to do.

12.
H. M'Kittrick, esq.

H. M'Kittrick, esq., examined.

164. What is your occupation?—I am a merchant in this town.

165. Have you known of any fraud practised in the sale of agricultural produce?—Upon this day I purchased some oats, at 9*s.* per barrel, and a short time afterwards, I saw the cart driven into the stores of another merchant. This practice occasions great inconvenience to a merchant, as it disarranges all his plans, and I conceive, in any legislation on the subject, the buyer and seller should be protected from fraud.

13.
Dr. M'Arthur.

Dr. *M'Arthur* examined.

166. You have heard all the evidence which has been given; can you offer any suggestion in addition to those which have already been made?—I should wish to suggest, that in any measure introduced by Government, the Chairman of the Town Commissioners should be

a magistrate during the period he holds office; should attend, especially, to the markets in the town; should be able to adjudicate in all cases of dispute between buyer and seller, and punish fraud.

ARDEE,
29th September, 1852.

13.
Dr. M'Arthur.

NAVAN, OCTOBER 1, 1852.

NAVAN,
1st October, 1852.

Thomas Gerrard, esq., J.P., examined.

14.
Thos. Gerrard, esq.

167. Where do you reside?—Within three or four miles of this town; at Lisgarden Castle.

168. Are you acquainted with the markets in this town?—I am.

169. Do you sell grain here?—I do.

170. Under what patent or authority is the market held?—I cannot say.

171. When was the market established?—I cannot say, but I believe over one hundred years ago.

172. What is your market-day?—Wednesday.

173. Who is the present owner of the market?—I cannot say.

174. Are tolls paid in your market?—No; they were paid, for some time, to Mr. Hamilton, who was deputy-portrieve of the town, but are not now, as tolls are done away with.

175. Has a weighmaster been appointed for the market?—I have heard there has, but that he resides near Kells.

176. Have a sufficient number of beams, scales, and weights been provided?—No, there are no public scales in the town. There is no market-house or enclosed market-place, and every thing is in the greatest possible state of confusion.

177. Is the sale of all agricultural produce confined to the market-place?—It is not; the greatest quantity is sold about the streets, or at the entrance to the town, and is weighed at the private stores of the merchant.

178. Is every sack weighed at the private scales of the merchant?—No; when the corn comes in in even barrels, the merchant, in purchasing, sometimes places his hand upon one sack, and has it weighed; and if it is correct, he takes the rest upon the faith of the seller.

179. What deductions, in the nature of beamage or allowances, are there taken from the gross weight of corn?—Seven pounds are charged for beamage, and seven pounds for the weight of the sack; so that, although the gross weight of the sack is fifteen stone, the seller is only paid for fourteen stone.

180. Are the same deductions made in weighing all agricultural produce?—Yes, a stone is allowed for beamage and sack in weighing both corn and potatoes.

181. Is any charge made for weighing in private stores?—I have heard that in some stores a charge is made for porterage, of one penny per sack, but I cannot say that it is made in all.

182. What is the smallest weight used in weighing corn in private stores?—I do not know.

183. Is there an inspector of weights and measures for the district?—There is.

184. How often does he visit the market?—I cannot tell.

185. Are the weights correct?—I cannot say, from my own knowledge; but several persons have been brought before the magistrates for using deficient weights, and they have detected fraud in many instances.

186. Can you give us any further information, or suggest any improvements which might be made in the present system of carrying on the markets?—I can only suggest, that we require a complete reform in our markets, much more accommodation, with a proper supervision and inspection. This is the next best market for corn, after Drogheda, in this country, and the arrangements are most inconvenient—in fact, there are no arrangements at all. I may add, that a considerable quantity of the corn sent into the town, never reaches its destination, as there is a second market, at a place called Trim Gate, at which the corn is frequently sold, by the assistance of persons who meet the carts upon their way.

15.
W. Butler, esq.

Whitwell Butler, esq., J.P., Staffordstown House, examined.

187. You have heard the observations of Mr. Gerrard; do you generally concur in them?—I concur in his general observations, but I always sell my corn according to the Drogheda regulations, and ten pounds only are deducted from a barrel of oats, wheat, or potatoes.

188. Can you state what is the general deduction from a barrel of grain, in case there is no private arrangements?—I believe it is one stone from each barrel.

189. Have you ever known of any other deduction having been made, in addition to those you have mentioned?—In some establishments in this town a charge of one penny per sack is made, but I cannot say what is the general practicé of the town.

190. Can you state what is the smallest weight generally used in weighing grain?—I cannot.

191. Can you state if there is any other deduction made in weighing corn?—I am not aware of any.

192. Have you any other information you wish to give, that you think material to the present inquiry, or observations that you wish to offer?—The accommodation afforded to the seller is very bad.

NAVAN,
1st October, 1852.

15.
W. Butler, esq.

193. Do you think it would be advantageous to establish a general market, with sufficient accommodation, beams, scales, and porters, in which all the produce would be sold and weighed?—It would be very desirable, and for the general benefit of the country, if it were practicable, and that no delay was occasioned to the seller.

16.
Matthew Healy, esq.

Matthew Healy, esq., Chairman of Town Commissioners, examined.

194. You have heard the evidence of the former witnesses; do you agree with them in their opinions?—I agree, generally, with them. With respect to what was stated by Mr. Gerrard, that one stone was deducted from each bag—seven pounds for beamage, and seven pounds for empty sack—I believe such to be the general practice of the town, although on some occasions they charge less.

195. Is there any charge made for porterage?—I believe the general practice is to charge one penny per barrel, porterage.

196. Suppose a farmer sends his servants with his corn to a merchant's store, would he be charged with porterage?—I believe he would, and that his servants would not be allowed to bring up his corn to the merchant's lofts.

197. Do you not think that the porterage is more than sufficient to pay the merchant the wages he pays his porters?—I think it is.

198. Is it not hard upon the farmer having to pay for the merchant's porters?—I think it is, but it is the usage.

199. Can you state the quantity of grain sold in this town in a week?—I cannot, but should suppose that it ranges from 5,000 to 10,000 barrels per week.

200. Would you be in favour of a general market, in which all agricultural produce should be sold and weighed, with sufficient accommodation, scales, weights, and porters?—I think it is a very serious loss to this town that there is no place where all the agricultural produce could be weighed. A person called my attention to ten persons collected about a cart, all of them endeavouring to become the purchaser of the corn; this occurred in an open space at the entrance of the town.

201. Have you heard of frauds being practised in consequence of the corn being bought and weighed at private stores?—I have heard complaints frequently made.

202. Have you any suggestion you can make, or any information you can give in addition to what you have already stated?—I have not.

17.
Wm. Morgan, esq.

William Morgan, esq., examined.

203. What is your occupation?—I reside at Navan, and am a miller and general merchant.

204. Explain the system of weighing corn in a merchant's store?—The farmer sends in sacks, containing five bushels of corn, or sometimes weighing fifteen stone; in weighing that corn the merchant deducts one stone for each draught; and although the sack may weigh more or less, they do not deduct more than half a stone for beamage, and half a stone for empty sack. Sometimes the farmer enters into a private arrangement with me to deduct a smaller allowance for beamage than seven pounds, and I pay him a price accordingly.

205. Then do you consider that this deduction of beamage does not practically act injuriously to the farmer?—I do not think it does; for if I am to receive twenty-one stone instead of twenty stone, I make allowances, and pay accordingly.

206. Then would it not be better to call things by their proper names; to weigh the exact quantity, and pay accordingly?—Most decidedly it would.

207. What is the smallest weight you use in weighing agricultural produce?—I have a four pound weight which I sometimes use, but, generally speaking, I do not allow for less than seven pounds.

208. If the gross weight of a sack of wheat was twenty-one stone six pounds and three quarters, for what weight would you allow the seller?—He would only be paid for twenty stone if he had only one barrel, but if he had more I would allow him for four pounds in each sack if there was that number of odd pounds, but nothing for any less quantity than four pounds.

209. Do you consider the adoption of so heavy a weight as seven pounds is injurious to the poorer class?—It is.

210. Are there any other charges except porterage?—No.

211. What do you charge for porterage?—I charge a halfpenny per barrel on oats, and sixpence per load on wheat.

212. Would you approve of a general market?—I would; it would be a great benefit to us all; the farmers would bring their corn to the one locality, the buyer would go there and make his selection, and in this way the custom of buying by sample would be put an end to, and the merchant save a penny a sack, paid to persons called whackers or brokers, and have the certainty of being secured from the farmers breaking their contract when it suited them, and re-selling to another party. The practice of buying corn at the entrance to the town is very detrimental to the merchant.

213. Do you think a general market could be established in this town?—I think it could; but it would be requisite to have two market-days in each week.

214. Would there be any objection to have sales in the market on every day in the week?—I do not see any objection, but I think twice a week would be sufficient, and would be more convenient to the merchants.

NAVAN,
1st October, 1852.

17.
Wm. Morgan, esq.

215. Could you name the quantity of corn sold in any week?—I could not make an attempt at it, but I am sure it exceeds 10,000 barrels a week. I have frequently purchased 500 or 600 barrels in a day.

216. How often do you get your weights adjusted?—Every three months, when we have an opportunity; always at least twice a year.

217. Is it your general custom to use a four pound weight?—It is; and I understand Mr. M'Cann weighs with two pounds; but the general practice is to use only seven pounds.

John Mullen, esq., examined.

18.
J. Mullen, esq.

218. Where do you reside?—In Navan.

219. What is your occupation?—I am a postmaster, and am, besides, a farmer and general merchant.

220. Have you any suggestion or information you would wish to offer?—I consider that the want of proper market accommodation is a serious loss to the farmer, more particularly to the poorer classes. A merchant said to me, a short time ago, that he would give a great deal to know the farmers as well as the old merchants of the town knew them, as he would then know who weighed their corn at home, and who did not, and he would give 6*d.* a barrel more to a man who had not weighed at home.

Referred to in the Report, p. 24, as Q. 218.

221. What advantage would that be to the merchant?—Why, he could make more than that by weighing it himself.

222. Are you of opinion a well-regulated public market would be desirable?—Most undoubtedly; I would put buyer and seller on an equality; I would protect both from fraud; I would secure to the farmer the full weight of his corn, and that it should not be refused when equal to sample; and I would secure to the merchant that he should get his corn equal to the sample, and that it should be delivered when sold, and not allow the farmer to re-sell it if he can get one halfpenny more on his way to the store.

Benjamin Roberts, esq., examined.

19.
B. Roberts, esq.

223. Where do you reside?—In Navan.

224. What is your occupation?—I am a general merchant.

225. Can you suggest any thing in addition to what has been already stated?— I cannot. I concur with Mr. Morgan in every thing.

226. Do you not think that an assimilation of weights would be desirable?—It would.

227. Do you know if there are public scales kept in this town?—There are not; but I believe some persons keep private scales, and charge parties making use of them.

228. Do you know how those private scales are conducted?—I do not.

229. Is there an inspector of weights and measures?—There is.

James M'Lauglin, esq., examined.

20.
J. M'Lauglin, esq.

230. Where do you reside?—In Navan.

231. What is your occupation?—I am a miller and farmer.

232. Can you suggest any thing in addition to what has been already stated?—I cannot; but I consider a public market, coupled with an assimilation of the weights of this country, would be a highly beneficial measure.

233. What fairs are held in the town?—Seven during the year—(*Gives a list*).

234. Are there tolls collected at the fairs?—No.

KELLS, OCTOBER 1, 1852.

KELLS,
1st October, 1852.

21.
Mr. Thomas Farrell.

Mr. *Thomas Farrell* examined.

235. Where do you reside?—In the town of Kells.

236. What is your occupation?—I am a dealer, farmer, and grazier.

237. Are you well acquainted with the markets of this town?—I am.

238. Who is the present owner of the market?—Lord Headfort.

239. Are tolls paid in the market?—No; they were formerly, but the collection of them has been abandoned for years.

240. Is there an enclosed market-place?—There is.

241. Is the sale of all agricultural produce confined to the market-place?—It is.

242. Has a weighmaster been appointed for the market?—Yes.

243. Have a sufficient number of beams and scales been provided?—Yes, there are three pair of scales.

244. Is all agricultural produce weighed in the market scales?—It is not; the practice is for the merchant to select a certain sack and have it weighed in the scales, and in case it is found to be full weight, none of the others are weighed, but are taken to be correct. No corn is, however, weighed in the private stores.

245. Is any charge made for weighing?—Yes, a penny per sack is charged.

246. Explain the system of weighing?—No less than a sack is usually weighed.

247. What deductions or allowances, in the nature of beamage or allowance, are taken from the gross weight of corn, &c.?—One stone is deducted from each barrel of oats, which weighs fourteen stone, so that if the sack and oats weigh fifteen stone, the seller is paid for fourteen stone; half a stone is allowed for the weight of the sack generally, but,

KELLS, 1st October, 1852.

21. Mr. Thomas Farrell.

in some cases, the tare of the empty sack is taken, when it exceeds the weight of seven pounds; the other half stone is deducted for beamage.

248. What is the smallest weight used in weighing corn in private stores?—The smallest weight used is always seven pounds; if there were three or four pounds more, the buyer would allow it in the other sacks.

249. If only one sack were weighed, might not the seller lose six pounds three quarters?—He might; but the buyer generally gives and takes.

250. Do you charge any thing for porterage in your mill?—I do not; the seller may send his own men to unload and deposit his corn, or he may employ any person he pleases to do so.

251. What is the weight of a barrel of wheat?—Twenty stone.

252. Of oats?—Fourteen stone.

253. Of barley?—Sixteen stone.

254. Of peas, vetches, &c.?—Twenty stone.

255. Is a stone weight always calculated at fourteen pounds avoirdupois?—It is; except in the case of wool, which is calculated at sixteen pounds.

256. Does a hundred-weight always consist of eight stones of fourteen pounds avoirdupois?—It does.

257. Is there an inspector of butter, and is it sold by the weight or by lump?—There is; and it is always sold by the weight.

258. Is there a butter market?—There is not.

259. Could you give any calculation of the sales in this town?—At the heaviest time of the year, I have often bought 400 barrels myself, but great quantities are purchased by samples. I am sure that 1,000 barrels are sold in some markets.

260. What is the principal produce sold in the market?—Oats.

261. Is there an inspector of weights and measures for the district?—There is.

262. How often does he visit the market?—I cannot say; the weights are regulated every year; Mr. Sadleir is the inspector.

263. Have you any further information you can offer?—The only thing I can add, is, that sometimes eighteen and a half stone are put into the sacks; the deduction for beamage and sack is only one stone, and the farmer by that means gets three and a half stone without any deduction for it.

264. Do you think it would be desirable to have all corn sold and weighed in one public market all through the country?—Some of the farmers might object to it, because they have their own scales.

265. But suppose a poor man, who had no scales, is he not injured by sending his corn into the market unweighed?—He is, unless he can get the use of some person's scales.

266. Can you point out any inconvenience which would arise from the establishment of a public market?—I cannot; but I think it unnecessary, as the farmers who generally come to the market are very correct.

267. How are potatoes sold?—By twenty stone.

268. Are they all weighed in the public market?—They are; and the same beamage is deducted from them as for corn.

269. Would you approve of an equalization of weights and measures over the whole county?—I would think it very desirable; and great confusion exists at present in consequence of the diversity of them.

22. H. Coltsman, esq.

Henry Coltsman, esq., examined.

270. Where do you reside?—I generally reside in Kells, but I have also a place near this, called Castle Port.

271. What is your occupation?—I am the manager of the Savings' Bank in this town.

272. How often is the market in this town held, and what are the market-days?—Saturday is the only day in the week upon which the market is held.

273. Who is the legal owner of the market-place?—I believe the Marquess of Headfort. He has granted a lease of the house and scales to a person of the name of Rogers.

274. Is there an enclosed market-place?—There is; the sale of agricultural produce is generally confined to the market.

275. Has a weighmaster been appointed?—The person who rents the market from the Marquess of Headfort acts as weighmaster. I cannot say whether he has ever been sworn.

276. What is the charge for weighing corn?—One penny per draught, no matter what the weight.

277. Are potatoes charged in the same manner?—They are.

278. What is the smallest weight used in the market?—Seven pounds, except in butter.

279. If a person brought his sack of corn, without trimming and weighing at home, might he not lose?—He certainly might.

280. Is there any other deduction besides one penny per draught for weighing?—No.

281. What deductions are made on butter?—Four pounds per hundred-weight.

282. Is there an inspector of weights and measures for this district?—There is.

283. Have you heard of any frauds in consequence of the corn being weighed in private stores?—I have not.

284. Have you any further information which you would wish to give us?—I have not; I do not see how the markets could be improved.

285. How many fairs are there held in this town during the year?—I do not know.

286. Are any tolls collected in these fairs?—No.

KELLS,
1st *October*, 1852.

23.
Thomas Rogers.

Thomas Rogers, Weighmaster, examined.

287. What is your occupation?—I am weighmaster in this town.
288. Under what patent is the market held?—I do not know.
289. When was the market established?—I believe from time immemorial.
290. How often is it held?—Every Saturday.
291. Who is the owner of the market?—I hold under Lord Headfort, who is the proprietor of the market-place; he built the market-house, and leased it to me.
292. What tolls or customs are charged?—There are none at present; they were paid formerly to the Corporation, but were abandoned by them in consequence of a strong feeling on the subject.
293. Have you ever been appointed weighmaster?—I was appointed to that office by Lord Headfort, during the time of the old Corporation.
294. Are sales of agricultural produce confined to the market-place?—They are not; corn is frequently sold at private stores.
295. Were you ever sworn as weighmaster, under the 4th Anne, chap. 14?—I never was.
296. Have a sufficient number of beams, scales, and weights been provided for the market?—Yes; there are three beams: one for corn, a second for meal, and a third for butter.
297. Explain the system of weighing in the market?—Oats, which is the principal produce sold in the market, comes in there to be sold either in barrels or sacks of five bushels; no charge is made for standing in the market; the buyer selects one sack and gets it weighed, and takes the other sacks according to the weight of it.
298. Have you ever known any inconvenience arise from this practice?—Yes; I have purchased corn and weighed one sack and found it correct; I have weighed others of the same load and found them deficient in weight.
299. Is any charge made for weighing?—Yes, one penny per sack; no charge is made on any thing but what goes through the market scales.
300. Have you known any cases of fraud having occurred from all the corn not being weighed in the market scales?—I have, several cases.
301. What are the deductions on corn and potatoes weighed in the market scales?—One stone is deducted for sack and beamage from every barrel of corn and potatoes.
302. What is the smallest weight used in the market?—Seven pounds.
303. Suppose a sack of oats weighed fifteen stones six pounds and three quarters, what weight would the farmer be allowed?—He would only be paid for fourteen stones.
304. Do you keep a market book?—I do not; I give a docket of the weight.
305. If the seller lost the docket, and came back to you in two or three days, could you give him a duplicate?—I could not.
306. If the Government required you to furnish them with a return of the quantity, average price, and amount of agricultural produce sold in your market, could you do so?—I could not.
307. What quantity of corn is generally sold during the week in your town?—I should say about 300 barrels.
308. What is the largest quantity you ever knew sold in a week?—About 1,000 barrels.
309. What is the weight of a barrel of wheat?—Twenty stone.
310. What of oats?—Fourteen stone.
311. What of barley?—Sixteen stone.
312. What of beans, peas, &c.?—Twenty stone.
313. What of potatoes?—Twenty stone.
314. Is a hundred-weight of eight stone 112 pounds?—Yes.
315. What is the weight of a stone of wool?—Sixteen pounds.
316. What are the average receipts of your weighing fees?—About £50 per annum.
317. Do you think, if a law was passed, providing a public market in every town, with sufficient accommodation to weigh all the produce in the public scales, and obliging all agricultural produce to be sold and weighed there, would it have a good effect?—I think it would prevent fraud.
318. Are the weights and measures properly looked after and stamped?—I have not known any fraud to arise from want of it.
319. Do you think an assimilation of weights all over Ireland would be desirable?—I think it would be of very great benefit.

TRIM,
2nd *October*, 1852.

24.
Mr. Hugh Duignan.

Trim, October 2, 1852.

Mr. *Hugh Duignan* examined.

320. Where do you reside?—In Trim.
321. What is your occupation?—I am a merchant and a farmer.
322. Do you buy or sell in the market?—I principally sell.
323. Under what patent is this market held?—I am not aware.
324. When was the market established?—I believe from time immemorial. I know it was in existence fifty years ago.
325. How often is it held, and what are the market-days?—It is only held once a week, on Saturday.
326. Who is the present owner of the market?—It formerly belonged to the portrieve of the old Corporation; and, I believe, the Town Commissioners, as the successors of the old Corporation, are now entitled to it.

TRIM, 2nd October, 1852.

24. Mr. Hugh Duignan.

327. Are tolls paid in the market?—They are not.

328. Were they ever paid?—They were, to the old Corporation, but have not been collected for about twenty years.

329. Is there an enclosed market-place?—There is not. We have no market-place or house, and the greater portion of agricultural produce is sold in the streets.

330. Has a weighmaster been appointed?—No; there is a person who assumed the right to act as such. He was not appointed, but acts for the accommodation of the public. The corn is weighed at different places through the town.

331. Have a sufficient number of beams, scales, and weights been provided?—No; the beams and scales are the private property of the person who acts as weighmaster. There are no public scales.

332. Is the weighmaster sworn?—He is not.

333. Is all agricultural produce weighed in those scales?—No; a great deal of it is sold to the merchants, and weighed at their private stores.

334. Explain the system of weighing used in private stores?—The oats, calculated at fifteen stone to the barrel, is put into the scales, and one stone is allowed for sack and beamage. With wheat it is different: the barrel is taken to be usually twenty stone eleven pounds—being for sack, seven pounds, and for beamage, four pounds.

335. You mean to convey that eleven pounds is deducted from the barrel of wheat for sack and beamage, and fourteen pounds from the barrel of oats?—I do.

336. What is the deduction made for beamage and sack from the barrel of potatoes?—One stone from every barrel.

337. Is there any other deduction under any other name?—I am not aware of any.

338. What is the smallest weight used in weighing in private scales?—The smallest weight is seven pounds.

339. Then the farmer might, by this system, in many sacks lose six pounds weight of corn?—He might.

340. Is any charge made in the private stores for porterage?—There is not in this town

341. What is the weight of a barrel of wheat?—Twenty stone.

342. What of oats?—Fourteen stone.

343. What of barley?—Sixteen stone.

344. What of potatoes, peas, beans, &c.?—Twenty stone.

345. Is a stone weight always calculated at fourteen pounds avoirdupois?—It is, except in the case of wool, which is sixteen pounds.

346. Does a hundred-weight always consist of eight stone, weighing 112 pounds?—It does.

347. Is there an inspector of butter?—There is not.

348. Is butter sold by the weight or lump?—By weight.

349. Can you state what is the amount of the sales in this market?—I cannot; in the heaviest time of the year 200 barrels of oats have been sold in the market, but I cannot state the average amount of the sales.

350. Is there an inspector of weights and measures?—There is.

351. How often does he visit the market?—I cannot say; he has a deputy, who is generally on the spot.

352. Have you known of any frauds, in consequence of grain, &c., not being sold in the public market?—Frequently.

353. Have you any thing in addition to what you have already stated to suggest as to the management and improvement of the market?—Great inconvenience arises to persons attending sales for want of a public market-place. I frequently suggested the benefit which would arise from one to the old Corporation, but no person was willing to take the trouble of establishing one; besides which, they had not sufficient funds for that purpose.

354. Do you conceive that a regular public market-house or place, where all agricultural produce should be sold and weighed, with a small charge, would be beneficial to the public?—Undoubtedly.

355. Do you think the merchants could object to such an arrangement?—I do not think they would have any reason, if all persons were put upon an equality.

25. N. P. Newnan, esq.

Neville P. Newnan, esq., examined.

356. Where do you reside?—In Trim.

357. What is your occupation?—I am a private gentleman.

358. Are you principally a buyer or seller in the market?—I only purchase for my own use.

359. You have heard the evidence of Mr. Duignan; do you concur in it?—I do, except in some particulars.

360. Will you state in what particulars you differ from him?—I believe the Wellesley family are entitled to the patent of the market, and that it is now vested in the Earl of Mornington. An application was made, some time ago, to the Lord Lieutenant to alter the day upon which the market was held, and it was found that considerable expense would be incurred in getting the sanction of the patentee, and in procuring the approval of the Attorney-General.

361. Upon that occasion, did you get a copy of the patent?—I do not know; I have never seen it.

362. Is the practice of conducting sales in private stores correctly stated by Mr. Duignan?—I think it is, generally speaking; but I am aware that some millers have adopte

25.
N. P. Newnan, esq.

the practice of weighing the corn, and afterwards taking the tare of the sack, and paying for the exact weight of the corn delivered to them; this practice has given very great satisfaction to sellers.

363. Do you think the establishment of such a practice, generally, would be desirable?—I think it would be most desirable for all parties, to call things by their proper names, to weigh the sack to the one pound, and pay according to the weight of the corn delivered.

364. Do you conceive that an assimilation of weights throughout the country would be desirable?—I think it would.

365. Have you heard of any frauds having been practised in consequence of the agricultural produce being sold in private stores?—I have; very frequent cases of fraud have occurred. I think such would be avoided by having public weights and scales, at which all agricultural produce should be weighed; and, I may add, that a committee has been appointed for getting a convenient site for a public market-house, but sufficient funds are wanting.

366. Do you conceive that using a seven-pound weight as the minimum weight operates injuriously to the farmer?—I am sure it does.

367. If a sack of wheat weighed twenty-one stone six pounds, for what quantity of corn would the seller be paid?—Generally, for twenty stone.

368. If a public market, such as you have suggested, were established, do you think it would be desirable to make it compulsory on all sellers and buyers to sell and weigh all agricultural produce in such market?—I think it would. There is a great want of market accommodation in this town, and every thing in the market ought to be under the inspection of some respectable person.

369. Can you state the greatest amount of agricultural produce sold in this town on a single day?—Not with perfect accuracy; but I believe 2,000 barrels of corn have been sold in one day. This town has become a great market for oats, which is the principal produce of this country.

26.
Mr. J. Sandford.

Mr. *James Sandford* examined.

370. Where do you reside?—In Trim.

371. What is your occupation?—I am a general dealer, and I also act as weighmaster.

372. Have you ever been appointed weighmaster of this market?—I have never received any regular appointment.

373. Are you accountable to any person, or do you render an account to any one?—I am not; I have never accounted to any one.

374. Have you been sworn under 4th Anne, c. 14?—I have not.

375. Explain the system of weighing in your scales?—A barrel of oats, or other grain, is put into the scales, and one stone is deducted for every draught, being seven pounds for sack and seven pounds for beamage.

376. What is the smallest weight used in your scales?—Seven pounds; but if I found one sack light and another heavy, I would give and take, but I should have to guess at the weights, and my doing so is discretionary with me.

377. Is there any other deduction made?—There is; 1*d.* per draught for weighing is charged by me, except in the case of butter, for which I charge ½*d.* per draught.

378. Do you weigh meal with a smaller weight than seven pounds?—We weigh meal nett, and there is no deduction.

379. What deduction do you make in weighing butter?—Four pounds for every hundredweight.

380. Is all the agricultural produce sold in this town weighed in your scales?—Not one twenty-fifth part of it.

381. Do you keep any book in which you enter the quantity, average price, and amount of agricultural produce weighed in your scales?—I do not; but I give a docket to the seller.

382. If Government were to require you to furnish them with a statistical account of such sales, with average price, and amount, could you do so?—I could not.

383. Do you keep a copy of the docket you give to the seller?—I do not.

384. If the seller lost his docket could you supply him with a copy of it?—I could not.

385. Have you heard of any complaints having been made of frauds practised in weighing agricultural produce in private stores?—Very frequently.

386. Could you give any estimate of the amount of agricultural produce sold in this town on one day?—I could not.

387. How often do you get your scales adjusted?—Once every year, regularly, but sometimes oftener, by a person who resides in this town.

388. Do you think it would be advisable to have all agricultural produce sold and weighed in one public market?—I think it would; although such might be very injurious to myself.

389. What amount is received by you yearly for weighing?—About £12.

390. Have you any thing to suggest in addition to what you have already stated?—No; except that in future I will keep a registry of the sales, their price and amount.

27.
M. Odlam, esq.

Michael Odlam, esq., examined.

391. Where do you reside?—At New Haggard Mills, near this town.

392. What is your occupation?—I am a miller.

TRIM, *2nd October*, 1852.

27. M. Odlam, esq.

393. You have heard the evidence which has been given; do you agree with it?—I do; but not altogether.

394. Will you explain the system of selling and weighing adopted in your mill?—When I came here, about five years ago, I disapproved of the system adopted of making a deduction for beamage and sack from every barrel of wheat weighed, as I thought the farmer laboured under great disadvantages; accordingly, I adopted the system of invariably taring their sacks, entering the gross weight of each sack, to the one pound, and deducting the aggregate weight of the empty sacks, and four pounds per barrel beamage, from the total weight of the wheat, and paying for the weight which remained after such deduction.

395. Do you think that this system was beneficial to the farmers?—I do; in most cases they gained by it, and I know that it gave general satisfaction.

396. Why should you charge any beamage?—It is the custom, and I therefore do so; but I should just as soon charge no beamage and pay accordingly.

397. Do you think that it would be desirable to establish a general market in which all agricultural produce should be sold and weighed?—I think it would be very desirable.

398. Do you make any charge for porterage?—No; we keep men to unload the wheat without any expense to the seller.

399. What is the smallest weight used by you?—One pound.

400. What do the sacks generally weigh?—From seven pounds to nine pounds.

401. If the farmer did not weigh and trim his sacks at home he would derive benefit from the system you adopt?—He would; but I must say the farmers are not sufficiently alive to their own advantages, as some of them would rather sell for 1*d.* per barrel more than avail themselves of our system.

402. Do you think an assimilation of weights through the entire country would be advantageous?—I do.

403. Could you give us any idea of the quantity sold in this town in a day?—I could not; I purchase wheat alone, and buy 40,000 barrels yearly. I shall be happy to give you at any future time any further information you require.

404. In selling flour do you allow any beamage?—I do not.

405. How do you weigh your sacks in selling flour?—I put twenty or thirty of them in a scale, and strike a balance on the aggregate weight.

28. P. Kennedy, esq.

Patrick Kennedy, esq., examined.

406. Where do you reside?—In the town of Trim.

407. What is your occupation?—I am the proprietor of the Trim mills, and am a grazier besides.

408. Can you suggest any thing in addition to what has been already stated?—Nothing; except that I concur with Mr. Odlam in every thing he has stated, although I do not adopt the same system.

29. H. Parsons, esq.

Henry Parsons, esq., examined.

409. Where do you reside?—In Trim.

410. What is your occupation?—I was the late town clerk.

411. Can you tell who is the patentee of the market?—I cannot.

412. Did the old Corporation collect tolls?—They did; they were received by the portrieve.

30. Mr. G. Mooney.

Mr. *George Mooney* examined.

413. Where do you reside?—In Trim.

414. What is your occupation?—I am a schoolmaster and farmer.

415. Can you suggest any thing in addition to what has already been stated?—I should wish to suggest that the quality of the butter sold is very bad, as one-sixteenth of it consists of water, and that some means should be afforded for making the parties guilty of the fraud amenable to justice. I think the present general system of weighing agricultural produce is a great injustice to the farmer.

31. Mr. Richd. Hughes.

Mr. *Richard Hughes* examined.

416. Where do you reside?—At Rathmolyon.

417. What is your occupation?—I am a farmer.

418. Can you suggest any thing in addition to what we have already heard?—Yes; I have found the system of weighing in this town so very injurious to the farmer, that I never send my corn to be sold here, but I frequently send it to Drogheda, and have it sold at the same price I would get here, sooner than run the risk of the frauds which are practised here. Upon one occasion I found a seven pound weight fastened upon the side of the beam in which the weights were put employed in weighing my oats, and consequently lost seven pounds on every sack, independent of the beamage allowance made on it. I conceive the present system most injurious to the farmer, and wholesale robbery is practised whenever it is submitted to. I quite agree that there should be a public market, with proper accommodation, and a sworn weighmaster, who would act fairly between man and man. There is not a worse arranged market in this country than this; I hope it will be put upon a better footing.

NAAS, OCTOBER 4, 1852.

Daniel Tracy examined.

419. What is your occupation?—I am weighmaster of the potato market in Naas.

420. Can you state under what patent the market is held?—The old Corporation of Naas were the patentees of the market. The Corporation became extinct in 1841. No Town Commissioners have been appointed, and the matter remains in the same position it was ever since. The trustees of the old Corporation are now the owners of the market.

421. When was the market established?—From time immemorial.

422. How often is the market held, and what are the market-days?—Twice a week; upon every Monday and Thursday.

423. Are tolls paid in the market-place?—No; the collection of tolls was abandoned in 1841, and none are now collected.

424. Is there an enclosed market-place for potatoes?—There is, but there is no market-house.

425. Is the sale of potatoes confined to that market-place?—It is not.

426. Have you been sworn under the 4th Anne, c. 14?—I have.

427. Have a sufficient number of beams, scales, and weights been provided?—Yes.

428. Are all potatoes sold in the town weighed in the market scales?—They generally are.

429. Give a list of your charges.—I charge for weighing and porterage 2*d.* per sack of potatoes, no matter what may be the quantity or weight.

430. Is any other charge made in your market?—No, there is not; the 2*d.* covers all charges.

431. A market note of yours is in our possession, in which you charge 4*d.* per barrel for weighing, &c., potatoes; how do you account for that?—I cannot account for it.

432. The quantity sold was three barrels and eleven stone, and for that you charged 1*s.* 4*d.*—I cannot account for it; but if I saw the note, perhaps I might be able to explain it. I never charge more than 2*d.*

433. If there was only one-fourth of a barrel in the sack, what would you charge for porterage and weighing?—I would only charge 1*d.* It is discretionary with me to make the smaller charge. The custom has been to make the foregoing charges: but I never exceed 2*d.*, whatever the weight is.

434. Suppose a person sends his own servants to unload and weigh his potatoes, would he be obliged to pay those charges?—He would; I employ the porters, and would not allow his servants to take them off the cart.

435. What is the smallest weight used by you in weighing potatoes?—Seven pounds.

436. Do you take the weight from standing beam?—I do not; I do not consider it is weight unless the scale strikes the ground three times.

437. What weight does it take to bring the scale from standing weight down to the ground?—I believe about two pounds.

438. If a farmer did not weigh and trim his sacks at home, he might lose six pounds by reason of your not employing a lesser weight than seven pounds, might he not?—No, for I adopt the plan to give and take. If one bag be light and the others heavy, I set the one off against the other.

439. How can you ascertain the proper weight to give or to take if you do not weigh exactly?—I make a guess at it.

440. Do you make any other deduction in weighing potatoes?—I deduct one stone for the weight of the sack and beamage.

441. Is there any other deduction made in weighing?—No, there is not; no matter what may be the weight of the sack, I only deduct one stone.

442. Suppose the gross weight of a sack were twenty-one stone six pounds, for what weight would the farmer be paid?—He would only be paid for twenty stone.

443. Are you aware that a penalty is attached to making any charge for weighing potatoes?—I am not; during the time I held the office of weighmaster, under the old Corporation, I received a salary for discharging the duties of weighmaster, and made no charge for weighing potatoes, but since my salary was withdrawn, I have always made the charges I have stated.

444. Suppose the weight of the sack to be only five pounds, would you deduct one stone?—I would.

445. How often do you get your weights adjusted?—Every time Mr. Connolly comes into the town for that purpose, but generally once a year.

446. What is the weight of a barrel of potatoes?—Twenty stone.

447. Is a stone weight always calculated at fourteen pounds, avoirdupois?—It is.

448. Does a hundred-weight always consist of eight stone of fourteen pounds?—It does.

449. Who was it fixed the scale of charges you collect?—I charged them myself after the old Corporation went out of office. I was recommended to hold the situation of weighmaster, in the hope something might be done for me.

450. What is the amount of the gross receipts of your office?—Very little more than sufficient to pay the poor rates, which I am obliged to pay myself. It is not more than £10 per annum, on an average.

451. Who is it pays the porters?—I receive 1*d.* upon each barrel, and I give the sum received for porterage to one porter employed by me, and he pays the other two porters.

452. Are porters always employed?—They are, and have been for the last fifteen years.

NAAS, *4th October*, 1852.

32. Daniel Tracy.

453. Do you keep a book in which you enter the weight, price, and amount, with the names of the buyer and seller?—I do not; I keep a book, but I only enter in it the name of the seller, with the gross weight—[*Produced his book.*]

454. Suppose Government required you to give them the statistics of your market, the quantity, average price, and amount, sold in your market, could you do so?—I could not, except from recollection.

455. Do you give a docket to the seller?—I do.

456. Could you, in case that docket was lost, furnish a duplicate of it?—I could not.

457. Have you heard of any complaints having been made of the management and arrangement of your market?—I have not.

33. James Halfpenny.

James Halfpenny examined.

458. What is your occupation?—I am clerk and weighmaster in the corn market.

459. Have you been sworn as weighmaster under the 4th Anne, c. 14?—I was sworn as weighmaster by the old Corporation.

460. By whom were you appointed weighmaster?—I was appointed by the old Corporation.

461. Under what patent or authority is the market held?—I do not know.

462. How often is the market held, and what are the market-days?—Twice a week, on Monday and Thursday.

463. Who is the owner of the market?—I do not know; the successors of the old Corporation, whoever they are.

464. Are any tolls or customs paid in this market?—No, and have not been for some time.

465. Is there an enclosed market-place?—There is not, there is a market-house.

466. Is the sale of corn confined to this market-place?—No, it is sold about the town, in the streets.

467. Have a sufficient number of beams, scales, and weights been provided?—Yes, there are two beams, but no weigh-bridge.

468. Is all the corn sold in the town weighed in the market scales?—No, it is not.

469. Can you state what proportion of the corn sold in the town is weighed in your scales?—I should say about two-thirds of the entire quantity sold.

470. Can you state why all the corn sold is not weighed in your scales?—I cannot.

471. Give a list of the charges you make for weighing corn.—I charge 2*d.* per sack, for weighing and porterage, irrespective of the weight of the sack.

472. Is any other charge made by you?—No.

473. Suppose a farmer sent his own servant to unload his carts and weigh his corn, would you charge for porterage?—I would; I always charge for porterage.

474. What is the greatest number of barrels you ever have sold in a day in the market?—I should say 300 barrels have been sold in one day.

475. What was the greatest number of sacks you ever knew to be sold in one day?—I should say about 200 sacks.

476. How many porters are employed in the market?—Three.

477. Would not 1*d.* per sack, upon 200 sacks, be much more than sufficient to pay three porters?—It would, but I do not weigh 200 sacks every day; on an average, it would not more than pay them.

478. How long have these porters been employed?—They have been employed for the last fifteen years.

479. Is there any deductions from the gross weight made by you in weighing?—Yes, I deduct seven pounds for the weight of each sack, and two pounds per barrel beamage.

480. Do you make this deduction, irrespective of the weight of the sack?—I do.

481. What is the smallest weight used by you in weighing a load of corn in your scales?—Seven pounds.

482. How do you determine when a sack of corn is weight?—The sack of corn must strike three times against the ground.

483. If less than seven pounds were in the sack, would you take it into account?—I would not.

484. Who keeps the market-house in repair?—I do; and I pay rent for it to the trustees of the Corporation.

485. What rent do you pay?—I pay £26 per annum.

486. What are your gross receipts for weighing?—I cannot exactly state; but I should say it was worth to me about £20 per annum.

487. Do you receive the amount paid for porterage?—I do.

488. How do you apply it?—I pay one porter all I get for porterage, and he pays two other men for discharging the duties of porters. I have nothing on weighing but 1*d.* per sack.

489. Do you keep a book in which you enter the quantity, price, and amount sold, with the names of the buyer and seller?—I keep a book of the sales.

490. Have you that book?—I have not, but I will send for it.

491. What is the weight of a barrel of wheat?—Twenty stone.

492. What of a barrel of oats?—Fourteen stone.

493. What of barley?—Sixteen stone.

494. What of peas, beans, and other grain?—Twenty stone.

495. Is a stone weight always calculated at fourteen pounds, avoirdupois?—It is, except in the case of wool, which is calculated at sixteen pounds.

NAAS, 4th October, 1852.

33. James Halfpenny.

496. Does a hundred-weight always consist of eight stone of fourteen pounds?—It does.
497. How often do you get your weights adjusted?—Whenever Mr. Connolly comes down to the market; generally once a year.
498. How many thousand barrels of corn do you weigh in the year?—About 8,000; and I should say there were about 12,000 weighed altogether in the town.
499. Do you only charge for the sacks you weigh?—Yes; if a man weighs only one sack of his load, I charge him for all—[*The witness produced his book.*]
500. If Government required information as to the quantity of corn weighed by you, the average price of it, and amount, could you give them such information?—I could not.
501. What weight is required to bring the scale from standing beam down to the ground?—I should say about two pounds.
502. What distance are the scales from the ground?—I should say about nine inches.
503. Have you heard any complaints made as to the system of weighing adopted in your market?—I have not; it is a very fair system of weighing, and I would not allow any injustice to be done.
504. You give the seller a docket of the weight of his corn; if he lost that docket could you supply him with a duplicate of it?—I could not.

34. Mr. Patrick Farrell.

Mr. *Patrick Farrell* examined.

505. What is your occupation?—I am a shopkeeper in the town of Naas, and a farmer.
506. You have heard the evidence which has been given; do you concur with it?—I do not.
507. In what particulars do you dissent from it?—I disagree with the greater part of what has been told you about porterage; I have known many instances in which farmers have been obliged to pay 2*d.* to porters who frequent the market, and drag their sacks from off their carts, in addition to the 2*d.* always charged by the weighmaster for weighing and porterage. There are five or six of those porters attending the market, and mulcting the farmer to the amount of 4*d.* or 6*d.* per load, in addition to the charges mentioned.
508. Are there a sufficient number of porters in the market?—There are not; for some time none have been employed by the weighmaster, and it was only this day that they were again employed.
509. In point of fact the charge of 2*d.* is for weighing only?—It is.
510. Have sufficient scales and weights been provided in the market?—No, there are only two pair of scales, and one of them is a very small one, only capable of weighing small bags.
511. Have you heard any complaints as to the management and arrangement of the market?—Yes, the farmer complains that very great delay takes place in weighing his corn, and that the charge for weighing and porterage is enormous; they often pay 4*d.* per barrel.
512. What is the principal produce of this country?—Oats.
513. Are any other deductions made in weighing than those mentioned?—No, there are no deductions but nine pounds for sack and beamage.
514. What would be your opinion of the effect of establishing a general market for weighing all agricultural produce, with sufficient accommodation, and an efficient staff, at a small and regular charge?—I think it would be a very great benefit to the country generally if all parties were thus put upon an equality.
515. Would an assimilation of weights all through the country be beneficial?—It would be a great advantage to all parties.
516. Can you suggest any thing in addition to what you have already stated?—Yes; the merchant suffers much inconvenience from the system of forestalling which prevails in this town. There is scarcely a worse managed market in this country.
517. Do you not think that the farmer loses by reason of seven pounds being the minimum weight used in weighing corn?—I think he does.
518. What fairs are held in this town?—There are thirteen fairs held in the year; two are held in the month of May; they are confined to one portion of the town, and the accommodation is quite insufficient, and the arrangement very bad. There are no tolls collected now at the fairs.

35 James Murphy, esq.

James Murphy, esq., examined.

519. Where do you reside?—In Naas.
520. What is your occupation?— I am a merchant.
521. Can you suggest any thing in addition to what has already been stated?—The site of the market is most inconvenient, the accommodation is quite insufficient, and there is a strong feeling of dissatisfaction at the manner in which things are carried on.
522. Would you be in favour of a general market, in which all agricultural produce sold in the town should be sold and weighed, under the care of a responsible weighmaster, with a sufficient staff?—I consider such an arrangement would be most desirable, and is much wanted.
523. Do you think that an assimilation of the weights and measures all through the country would be beneficial?—I do.
524. In the event of a General Market Act, do you think sufficient accommodation could be obtained in this town?—I think it could.

NAAS, *4th October*, 1852.

35. James Murphy, esq.

525. Do you think you would get commissioners to superintend the management of it?—I think we could.

526. Is there an inspector of weights and measures for the district?—There is.

36. Doctor Hayes.

Dr. *Hayes* examined.

527. Where do you reside?—In the town of Naas.

528. Can you suggest any thing in addition to what has been already stated?—Yes; great improvement might be made in the fowl market; the system of forestalling prevails in it to a very inconvenient extent. The mode of selling turf also is very irregular, and productive of great fraud, as the turf is made up in loads, in every way calculated to cheat the public. The meat is brought into the market, by the country butchers, in a disgraceful state, and no person can take any notice of it, as there are no Town Commissioners; I may add, all the market arrangements in this town are most inconvenient and deficient, and we are greatly in want of a thorough reform. In fact, the present system is so much complained of, by both the merchants and farmers, that a subscription has been opened in the town to build a proper market house; and we intended providing accommodation, in one place, for the sale of all agricultural produce, instead of several markets, as at present. We have no system, no supervision, and no proper arrangements. A general market, such as has been recommended by a previous witness, would be of great advantage to all classes, both buyers and sellers, and put a stop to many frauds and much extortion, practised at present.

37. Mr. Richard Tracy.

Mr. *Richard Tracey* examined.

529. What is your occupation—I am weighmaster of the butter market in this town.

530. By whom were you appointed weighmaster?—By the old Corporation.

531. Were you ever sworn by the old Corporation?—I was.

532. Are any tolls charged in the butter market?—There are not.

533. What charges are made by you for weighing butter?—When the weight of the butter is under seven pounds I charge $\frac{1}{2}d.$ for weighing it; when over seven pounds and under fourteen pounds I charge $1d.$; when over fourteen pounds and under fifty-six pounds I charge $2d.$; when over fifty-six pounds I charge $3d.$

534. Is any other charge made by you for weighing butter?—There is not.

535. What deductions from the gross weight of the butter weighed are made by you?—If the gross weight be under seven pounds I deduct two ounces; if over seven pounds and under ten pounds I deduct one quarter pound; if over ten pounds and under fourteen pounds I deduct half a pound; if over fourteen pounds and under twenty-eight pounds I deduct one pound; if over twenty-eight pounds and under fifty-six pounds I deduct two pounds; if over fifty-six pounds and under 112 pounds I deduct four pounds.

536. Do you weigh butter at standing beam, or down to the ground?—At standing beam.

537. Is there any other deduction?—There is not.

538. Do you keep a book of the quantity sold by you, average price and amount, with the names of the buyer and seller?— I do not keep any book.

539. Do you give a docket to the seller?—Not unless he asks me for it.

540. Are you answerable for your management of the market to any person?—I am not, except I commit a mistake, when I am liable to the buyer or seller.

541. What distance are the scales from the ground?—They are on a table, and the scale is distant from it about nine inches.

KILCULLEN, *4th October*, 1852.

Kilcullen, October 4, 1852.

38. Mr. Daniel Brennan.

Mr. *Daniel Brennan* examined.

542. What is your occupation?—I am a shopkeeper in the town of Kilcullen.

543. Do you principally sell or buy in the market?—I chiefly sell

544. What is the date of the patent under which the market is held?—I do not know.

545. When was the present market established?—I believe about 1794.

546. How often is the market held, and what are the market-days?—Once a week; every Saturday.

547. Who is the present owner of the market?—I do not know; I believe Mr. Lewis is the principal proprietor of the town.

548. Are any tolls paid in the market?—No; I never heard of them being charged.

549. Is there an enclosed market-place?—No, nor a market-house.

550. Are there any public beams, weights, or scales in this town?—No; the scales in the town are private property.

551. Has a weighmaster been appointed for the market?—No.

552. Where is the produce sold in the town principally weighed?—It is weighed in private scales kept by persons for that purpose.

553. What is the charge usually made for weighing in the market?—Two pence per sack for weighing and porterage.

554. Explain the system of weighing usually adopted at the private cranes?—The scale with the sack must strike the ground three times, or it is not weight.

555. What is the smallest weight used in weighing in the market?—Seven pounds; it is either seven pounds or nothing.

556. What deductions are usually made in weighing in your market?—Seven pounds for the sack, no matter what may be the gross weight of the corn; sometimes, if the bag appears to be much heavier, it is tared, and the actual weight deducted.

557. Are there any other deductions made in weighing in your market?—There are not.

558. What quantity of corn is usually sold in your market?—There are five private cranes, and I should say, of a good day, fifty sacks are weighed at each crane, making a total of about 300 sacks, which are equivalent to about 500 barrels.

559. Who employs and pays the porters?—The crane owners.

560. What is the weight of a barrel of wheat?—Twenty stone.

561. What of oats?—Fourteen stone.

562. What of barley?—Sixteen stone.

563. What of potatoes?—Twenty stone.

564. What of peas, beans, and other grain?—Twenty stone.

565. Is a stone weight always calculated at fourteen pounds, avoirdupois?—It is, except in the case of wool, which is sixteen pounds.

566. Does a hundred-weight always consist of eight stone of fourteen pounds each?—It does.

567. Is there an inspector of butter, and is it sold by the weight?—There is no inspector, and it is usually sold by weight.

568. What is the principal produce sold in your market?—Oats.

569. Is there an inspector of weights and measures?—There is; a Mr. Connolly was the late inspector, but a Mr. Cunningham has been recently appointed, but he has never visited the town.

570. What would be your opinion of the establishment of a public market, in which all the corn and agricultural produce sold in the town should be sold and weighed, with sufficient accommodation, an efficient staff, and proper supervision?—I do not think it would be advisable, it might create a monopoly; no improvement could be made in the market, it is so well managed, and any change would prove injurious.

571. You think, then, it would be better to have it as it is?—I do.

572. Have you ever heard of any frauds being practised in the market?—I have not; the farmers are perfectly satisfied with it; they complained at one time, when the charge for weighing was 3*d.* per sack, but no complaints have recently been made.

573. Are the weighmasters at the private cranes sworn?—They are not.

574. Would it not be beneficial to have sworn officers to discharge the duties of weighmasters?—I think such would be quite unnecessary from the system adopted at the private cranes.

575. You think, then, that your market is perfection?—I think it is the best managed market in the country.

576. Is there any person answerable or responsible for the management of the market?—There is not.

577. Is the sale of agricultural produce confined to the market?—It is not; a great deal of oats is sold before coming into the market.

578. Can you state what wages the porters earn each day?—I cannot, but they only receive 1*d.* upon each sack weighed by them.

579. Are there sufficient beams and weights in the market?—I think there are.

580. Does not the farmer lose by the minimum weight used being seven pounds?—I do not think he does, because there is a system of giving and taking in the market.

581. How is it ascertained what should be given or what taken?—It is done by guess.

582. If the crane weigher were not honest, might not the farmer lose?—He might, but the farmer is generally standing by himself, and looks after his own interest, besides which, the crane weigher does not know who the buyer may be at the time of weighing.

583. You cannot suggest any improvement in the market?—I cannot; I sell a great deal in the market; I had about 400 barrels in the market last year, and expect to have the same this year.

584. Do the crane weighers keep any book of the quantity sold, average price, and amount, with the names of the buyer and seller?—I believe they keep books, but I cannot say what they contain.

585. Do you think an assimilation of weights and measures throughout the country would be desirable?—I do.

586. Can you suggest any thing in addition to what you have already stated?—Yes; in some cases where a fall takes place in the price of produce, the buyer rejects his purchase upon the ground that the produce does not correspond with the sample.

38. Mr. Daniel Brennan.

39. Mr. Patrick Farrell.

Mr. *Patrick Farrell* examined.

587. What is your occupation?—I am a shopkeeper in Naas; I am also one of the largest buyers in the market in this town.

588. Do you concur in the statements which have been made by Mr. Brennan?—I do not; I think a public market would be most desirable, the buyers would be better satisfied, and the buyer and seller put upon an equality. I must say that when I weigh the corn I purchase in this market in my own scales, I invariably find it deficient in weight.

589. Do you think that such could be accounted for by the supposition that your carts

KILCULLEN, 4th October, 1852.

were plundered on the road, or the produce taken out of the sacks for feeding your horses?—I am quite satisfied it cannot be accounted for in that way.

39. Mr. Patrick Farrell.

590. Would it not be better to have the corn weighed to a pound in a public market, and the sack tared afterwards, without making an allowance of seven pounds for every sack?—I think it would.

591. Does the practice of purchasing by sample prevail in this market?—It does, and very frequently, after purchasing, the farmer does not deliver the corn, and the buyer is thereby put to great inconvenience.

592. Can you suggest any thing in addition to what has been stated?—I should suggest that there should be a regular hour for commencing the market—say twelve o'clock.

40. Isaac Scott.

Isaac Scott examined.

593. Can you suggest any thing in addition to what has already been stated?—I think the weights and measures ought to be more frequently inspected; since the appointment of the present inspector, Mr. Cunningham, he has never visited the town.

41. Mr. H. O'Callaghan.

Mr. *H. O'Callaghan*, a weighmaster at one of the private cranes (*produced his book*), examined.

594. If Government sent down to you for an account of the quantity of corn sold by you, the average price, and amount, could you supply them with the required information?—I could not.

42. Michael Murphy.

Michael Murphy examined.

595. What is your occupation?—I am a miller, near the town of Kilcullen.

596. Are you in the habit of frequenting the market?—I am; I purchase a great deal of corn there.

597. Is it satisfactorily conducted?—It is.

598. Would you be in favour of a general market where all agricultural produce brought into the town should be sold and weighed, with a sufficient number of beams and scales, a competent staff, and proper supervision?—I think the present market is very well conducted, but I undoubtedly should prefer the establishment of such a market as you describe, as I think it would be of great service to the town, and to both buyers and sellers, to place all parties upon an equality, and protect both from fraud.

599. Can you suggest any thing in addition to what has been already stated?—I cannot, except that frequently when the corn is sold by a sample sack, the other sacks do not correspond in quality with it.

43. Mr. Daniel Brennan.

Mr. *Daniel Brennan* re-examined.

600. Do you still adhere to the opinion you expressed about a general market?—No; I was under the impression that there might be inconvenience and delay to the farmer; but if such a general market as has been described were established, I conceive it would be an advantage to the town, and beneficial to both buyer and seller.

44. Laurence Dillon.

Laurence Dillon examined.

601. What is your occupation?—I am head-constable of the police in the town of Kilcullen.

602. Have you ever heard of frauds being practised in this town in weighing corn?—I have heard complaints of the small traders having used unfair weights, but I have not heard any complaints made of frauds in selling corn.

603. Does the inspector of weights and measures ever visit the town?—I have not seen the inspector of weights and measures for six months. The present inspector has been recently appointed, and has not visited the town since his appointment, and gross frauds prevail in consequence; there is nothing requires more supervision than the weights used by the small tradesmen and shopkeepers in the town.

KILCOCK, 5th October, 1852.

Kilcock, October 5, 1852.

45. Mr. John Costello.

Mr. *John Costello* examined.

604. Where do you reside?—In the town of Kilcock.

605. What is your occupation?—I get my living by labour, and am usually employed in weighing corn in this town.

606. Explain the system of selling and weighing corn in this town?—The buyers generally bring the corn purchased by them to their private stores and weigh it there.

607. Is there a public market here?—No, there are no public beams or scales; a person of the name of Halligan has the custody of the beam and weights in this town.

608. What is the charge usually made for weighing?—One penny per sack for weighing, and nothing for porterage.

609. What deductions are made by you in weighing agricultural produce?—The barrel of oats is calculated at fourteen stone eleven pounds, being seven pounds for sack, and four pounds for beamage. In wheat, the deductions are, from twenty stone weight of wheat seven pounds for sack, and seven pounds for beamage.

610. What is the smallest weight used in weighing agricultural produce?—Seven pounds; it is either seven pounds or nothing.

KILCOCK,
5th October, 1852.
45.
Mr. John Costello.

611. Do you take the weight by standing beam or down weight?—By down weight.

612. What would be your opinion of a general market, in which all the agricultural produce sold in the town should be sold and weighed, with sufficient beams and weights, and a competent staff and proper supervision?—I think it would be very beneficial to all parties. The inspection of the weights and measures is very carelessly performed.

613. Are any complaints made of frauds practised in the sale of agricultural produce in this town?—I have not heard of any, except of small shopkeepers using improper weights.

614. Who is the inspector of weights and measures in this town?—I believe Mr. Cunningham has been lately appointed, but he has never visited the market, or made any inspection of the weights; many frauds have occurred in consequence.

615. Is much corn sold and weighed in this market?—Scarcely any. This market was once of considerable importance, now there is very little sold, and nearly all is sold by sample and delivered afterwards by the seller at the buyer's stores, seven or eight miles off; no buyers live in this town. There is nothing further I have to mention; but, I think a general market would be of great advantage to the town, and would be most beneficial to the farmers, as there is quite enough corn grown in this immediate neighbourhood to support a large market, but from want of proper accommodation and due supervision, they sell elsewhere; and when a farmer brings in his corn there is a system practised of stealing every thing off his cart, and as there is no one to check it he goes elsewhere.

CASTLEBAR, OCTOBER 8, 1852.

CASTLEBAR,
8th October, 1852.
46.
James Faulkney.

James Faulkney examined.

616. What is your occupation?—I rent the tolls in this town from the Earl of Lucan, and I weigh all the agricultural produce brought to the market scales for that purpose.

617. Under what patent is the market held?—I cannot tell.

618. How often is the market held, and what are the market-days?—Once a week, upon Saturday.

619. Who is the owner of the market?—The Earl of Lucan.

620. Are tolls paid in the market?—They are.

621. Give a list of the articles liable to tolls, with the amount paid upon each—[*The witness handed in the following list*]:—

A SCHEDULE of TOLLS and CRANAGE payable at the PUBLIC CRANE of CASTLEBAR, and held under the EARL of LUCAN.

	s.	d.		s.	d.
Carcase of beef, hide, or tallow,	0	4	Twenty pounds of tow-yarn,	0	2
„ of mutton, goat, or hog,	0	1	Every sack of first flour,	1	0
Cart load of salmon or eel,	0	4	„ sack of second or third flour,	0	6
Pack of wool,	1	0	„ sack of corn, grain, and meal,	0	2
Firkin of butter, one cwt.,	0	4	„ cow, by hide,	0	1
Cart load of onions,	0	8	„ veal calf,	0	1
Horse load of onions,	0	4			

CUSTOMS.

	s.	d.		s.	d.
Bullocks,	0	5	Horses and mules,	0	4
Two-year-old bullocks,	0	3	Asses,	0	2
Milch cows,	0	4	Cabins at fair green,	1	0
Dry cows,	0	3	Covered standings,	0	2
Cow and calf,	0	5	Uncovered standings,	0	1
Two and three year old heifers,	0	3	Pigs,	0	1
Sheep,	0	1	Cart load of any commodity,	0	4
Ewe and lamb,	0	1½			

622. Is any toll paid on corn?—Not at present; but there is a charge made for weighing, of 2*d.* per sack, and 1*d.* for small bags.

623. Are the tolls paid by the buyer or seller?—They are always paid by the seller at the market.

624. Are tolls paid whether the seller sells or not?—No; he does not pay until he sells, and if he does not sell the produce goes free out of the market.

625. Is there an enclosed market-place?—There is not.

626. Is there a market-house?—There is not.

627. Is the potato market enclosed?—It is not.

628. What charge is made for weighing potatoes?—I charge from ½*d.* to 2*d.* per sack, according to the size.

629. Is the sale of corn confined to the market-place?—It is not; it is frequently sold through the streets of the town.

630. Is the sale of potatoes confined to the potato market?—It is.

631. Has a weighmaster been appointed by Lord Lucan?—I have been lately appointed, but I have never been sworn.

632. Have a sufficient number of beams and weights been provided?—Yes.

CASTLEBAR, 8th October, 1852.

46.

James Faulkney.

633. Is all the agricultural produce sold and weighed in the market-place?—No; the greater portion is neither weighed nor sold there.

634. Will you furnish us with a list of your charges for weighing all agricultural produce?—I charge 1*d.* per hundred-weight for weighing all kinds of grain, and from ½*d.* to 2*d.* per draught of potatoes, according to the quantity.

635. Is any other charge made by you for weighing besides those you have mentioned?—There is not.

636. Do you charge for all agricultural produce sold in the market, whether it is weighed in your market or not?—I do.

637. What deductions are made by you in weighing, for sack and beamage?—In weighing corn no deduction is made, except for the weight of the sack, for which one stone is always deducted, unless the sack appears to be very light, in which case only seven pounds is deducted.

638. How do you fix the deduction to be made for the weight of the sack?—By the appearance of the sack and by the quantity it contains; sometimes, in case of a dispute about the weight of the sack, it is tared, and the exact amount deducted from the gross weight.

639. Is there any other deduction except one stone?—No; except in the case of wool, when four pounds are always deducted from each pack weighing twenty-one stone.

640. What deduction is made in weighing potatoes?—One stone out of every sack for bag and beamage.

641. What is the smallest weight used by you in weighing grain?—Nothing less than half a stone.

642. In case there is any thing in the sack less than seven pounds, will the farmer lose it?—He will.

643. Do you mean to convey that the weight of the corn must be either seven pounds or nothing?—I do.

644. Do you, in weighing, give standing beam or down weight?—I give down weight.

645. What weight would it take to bring the scales from standing beam to down weight?—About three pounds.

646. Do you keep a market book, in which you enter the quantity, average price, and amount, with the names of the buyer and seller?—I do not keep any book in which I make those entries, but I give the seller a crane note.

647. Do you keep a duplicate of the crane note?—I do not.

648. If a person lost the crane note you gave him could you furnish him with a copy of it?—I could not.

649. What is the greatest quantity of corn you have known sold in the town in a day?—I have known upwards of forty tons.

650. What is the weight of a barrel of wheat?—Twenty stone.

651. What of oats?—Fourteen stone.

652. What of barley?—Sixteen stone.

653. What of peas, beans, and other grain?—Twenty stone.

654. What of potatoes?—Sixty-four stone.

655. Is a stone weight always calculated at fourteen pounds, avoirdupois?—It is; except in the case of wool, which is calculated at sixteen pounds.

656. Does a hundred-weight always consist of eight stone of fourteen pounds weight, avoirdupois?—It does.

657. Is there an inspector of butter?—No; butter is generally sold in the potato market.

658. What deductions are made by you in weighing butter?—Four pounds for every one hundred and twelve pounds, and so on in proportion.

659. Is butter sold by weight or in lump?—It is sold by weight.

660. What is the chief article of agricultural produce sold in your town?—Oats is the chief produce of this country.

661. Is there an inspector of weights and measures?—There is.

662. How often does he visit the market?—Almost every market-day.

663. How often do you get your weights adjusted?—Three or four times a year.

664. Could you give me any idea of the gross amount of the tolls received in the market?—I could not.

665. To whom do you account for the tolls received by you?—I have not accounted to any person yet; I have only been appointed about ten days.

666. Are you acquainted with the practice of weighing corn at private stores by merchants?—I am.

667. Is there any charge made in weighing at private stores for weighing or porterage?—I believe not.

668. Have you ever heard of complaints being made in consequence of the corn being weighed in private stores?—I have heard of complaints having been made, but I do not wish to state the circumstances connected with those complaints.

669. Can you state, generally, the nature of those complaints?—It was stated that the weights were short.

670. What deductions are made in private stores in weighing?—One stone is deducted for the sack, but they sometimes tare the sack.

671. Do they take the weight by standing beam or by down weight?—By down weight.

672. What is the smallest weight used in private stores?—Seven pounds.

CASTLEBAR, 8th October, 1852.

46. James Faulkney.

673. Do they make any other deductions at private stores from the gross weight besides those you have stated?—They do not.

674. Where do you collect the tolls?—At the entrance of the market, after the sale.

675. Do you often test your scales?— I do frequently, by placing large weights at both sides; the beam is a very good one, but it is very old and might be improved; I had a new axle lately put to it.

676. How many beams and scales have you in the market?—I have two beams and scales, but I have no weighbridge.

677. You say you have a lease of the tolls from Lord Lucan; what rent do you pay him?—I would rather not answer that question.

678. How many fairs are held in this town in the year?—Four; on the 11th May, 9th July, 16th September, and 18th November.

679. What are the tolls charged in the fairs?—The same as in the market.

680. Do they pay tolls upon entering or going out of the fairs?—Upon going out.

681. Are any tolls charged upon cattle which are not sold in the fairs?—No.

682. How are you able to ascertain whether the cattle going out of the fairs are actually sold or not?—They tender an oath if the person in charge of the cattle states that they are not sold.

683. Who is it tenders the oath?—I cannot say; I have not done it since I was appointed; I believe Philbrim, who rated the tolls before me, used to do so.

684. Is he here?—No; he resides about fifteen miles from the town, and was not summoned.

685. Who is the owner of the tolls?—I am to collect them in future, as I now rent them from Lord Lucan.

686. Do people ever object to taking the oath?—I never saw any person object.

687. What distance is your scales from the ground?—About eighteen inches.

47. Chas. Malley, esq.

Charles Malley, esq., examined.

688. Where do you reside?—In Castlebar.

689. What is your occupation?—I am a general merchant.

690. Do you buy or sell in this market?—I generally buy oats and sell flour.

691. Do you concur in the statements which have been made as to the system adopted in selling corn in private stores?—I do not concur in everything which has been stated. The merchant deducts for the sack, according to its appearance, either seven or fourteen pounds, but he never makes any greater reduction than fourteen pounds; the general rule is, that if the gross weight of the sack is under two hundred-weight, the deduction is seven pounds, and so on proportionably, as a large quantity is supposed to require a stronger and heavier sack.

692. Is any other deduction made in weighing in private stores?—There is not any other deduction.

693. Is there any charge made for weighing or porterage?—Not at present; but we are about to make arrangements with Lord Lucan to charge 1*d.* per sack for cranage for all agricultural produce weighed in the private stores, and hand the amount over to the weighmaster, as a sort of compromise for weighing out of the market.

694. Do you think that such an arrangement would be fair to all parties?—I do; the craner is under rent to Lord Lucan, and I think it is only fair that he should have the benefit of the weighing in the private stores.

695. Would it not be better to have all the agricultural produce weighed in the market?—I do not think that such would be practicable, from the accommodation the market affords at present.

696. What would be your opinion of a general market in which all the agricultural produce sold in the town should be sold and weighed, with sufficient accommodation, a sworn weighmaster, and an efficient staff?—I think it would be a great advantage to the merchant, and beneficial to the public; I would be strongly in favour of the establishment of such a market.

697. Is there sufficient accommodation at present for such a market?—There is not.

698. What is the greatest quantity you have ever known sold in the town?—I am sure 100 tons have been sold in the town in one day.

699. How do you calculate your corn in this town?—We always purchase by the hundred-weight, and not by the barrel.

700. How many hundred-weight are generally in a sack?—In a sack of oats there are usually two hundred three-quarters weight; in a sack of wheat, three hundred and a-half weight; in a sack of barley, about three hundred and a-quarter weight.

701. How do you take the weight, whether by standing beam or by down weight?—By down weight.

702. What weight would it take to bring the scale from standing beam down to the ground?—I think about three and a-half pounds.

703. If the sack weighs eight stone seven pounds standing beam, what weight would it be called?—Eight stone.

704. Would you object to weighing with one pound, and afterwards taring the sack?—I would; for such an arrangement would be very troublesome, because the seller might change the sacks before taring them.

CASTLEBAR, *8th October*, 1852.

47.

Chas. Malley, esq.

705. How could they do so?—They might do so between the delivery of the corn at the merchant's stores, and going to the market to tare the sacks.

706. Suppose, however, it was the custom to tare the sacks in the merchant's store, would you then object?—I think it might occasion fraud, and be productive of delay, because the carman delivers the corn at the merchant's store, and deposits it upon the loft; he would then have to come down to the ground floor, and have his sacks weighed there.

707. Could you not tare the sacks on the loft?—It would not be convenient to do so, some of the stores are six story high.

708. Is the market in this town well carried on?—The craner is a very honest man. If I had not accommodation for weighing at my own stores, I would weigh the corn I purchase in the market scales.

709. Have you ever heard of any complaints being made of frauds being practised, in consequence of the corn being weighed at the private stores?—I have not. I have heard people say they preferred weighing in the private stores to weighing in the public scales, on account of the delay and inconvenience they experienced in weighing at the latter.

710. Can you suggest anything in addition to what you have already stated?—I can only add, that I think it would be very conducive to the benefit of all parties, if a market such as has been suggested, were established.

Lord Lucan here requested permission to put some questions to Mr. Malley. Such being accorded, he asked him the following questions:—

711. How would you compel the seller to carry his corn into the public market, if such were established?—By a general agreement between the buyers and sellers, it might be effected. If that were not practicable, I would pass a law compelling all corn brought into the town to be sold and weighed in the public market.

712. To what extent would you make it compulsory upon them to do so?—To the extent of forcing them to sell in the public market.

713. Might not, however, such a law be evaded?—It might, by fraud, but I think no merchant would do so, from the benefit he would derive from such an arrangement.

714. Does not the practice of forestalling prevail to a very great extent in this town?—I am not aware of it. I know that when some of the merchants are anxious to get a quantity of corn, they will send through the town to look for it, but I am not aware of their sending to the country to look for corn; I have never done so myself.

715. Have you never heard of merchants sending half-a-mile into the country to buy corn?—I think I have; and I have known inconvenience and riots to take place from the merchants' buyers fighting for the corn, whilst the carts were standing on the road.

Mr. Malley was then asked by the Commissioners:

716. Do you think it would be advisable, in the event of a general market being established, to have the potatoes and corn all sold and weighed in the same locality?—Not unless sufficient accommodation could be provided. Mr. St. George, of Headfort, has divided his market into three different parts, for the sale of agricultural produce; and if there was sufficient accommodation, I would have all produce sold in different parts of the same market: but I would keep the corn market, and the potato market, and the butter market, quite distinct, and not let them be mixed up together.

48.

Earl of Lucan.

The Right Hon. the *Earl of Lucan* examined.

Lord Lucan stated that he would wish to explain how the market in this town was circumstanced, and proceeded as follows:—I have been the proprietor of this estate for about thirteen years. I saw that some of the tolls were very inconvenient to the public, and I perceived that there was neither accommodation for them in the market, nor a convenient market-house. From that time I have been looking for a spot of ground which might form an eligible site for a market place, but some delay has taken place in my finding one. Two places suggested themselves for the purpose: one of them in the market-square, near Mr. Cavendish's house, I determined to adopt as a market place; but when I came to examine into the matter, I found a lease for ever against me, and the premises themselves in the occupation of bankrupts. It took me six years to get possession of those premises, and about two years ago I got possession of them. In the meantime another site for a market presented itself, which was more convenient, and afforded greater accommodation for the purpose than the one to which I have alluded; and upon it I have determined to establish the market. There was a large cluster of houses upon that ground, but they are all being taken down, and I have at this moment an architect employed designing a market-house. There has been no accommodation up to the present time, or a spot of ground available for the purpose, upon which the market could be erected.

With regard to weighing corn at the private stores, I have received complaints from the lessees of the tolls, stating that they received no profit whatever for corn weighed in those stores. This town has lately become a very important market town, and complaints were made that the merchants were in the habit of purchasing the corn out of the town, and having it driven direct up to and weighed at the private stores. I was always in doubt whether they could not be compelled to pay tolls for corn weighed in their own stores; and some of the principal merchants have recently agreed to compromise the matter by allowing the craner 1*d.* per sack for all corn weighed at their own stores. This was a recent arrangement, and has not as yet been carried out by any merchant except Mr. Malley. I believe, before I came into possession of this property, a similar arrangement was made with the merchants.

CASTLEBAR, 8th October, 1852.

48.
Earl of Lucan.

With regard to imposing an oath upon a person going out of a fair in charge of cattle, there can be no doubt but that such is illegal, and most objectionable. The reason I have not interfered to suppress that practice is, that I conceive, when once I have leased the tolls, I have no right to interfere with the manner in which they are collected, except as a magistrate; and in that capacity, if the case had come before me, I should undoubtedly have dealt with it, and punished the person tendering an oath under the circumstances stated. There cannot be a system more calculated to produce perjury: I believe, in consequence of it, a great deal of perjury prevails.

Archdeacon MacHale here denied that the lower orders were in the habit of perjuring themselves to the extent stated by Lord Lucan.

Lord Lucan.—It may be so, but some perjury certainly does take place; and I think it is wrong to expose persons to so much temptation; and at any rate it has the effect of making them regard an oath lightly. The only way to avoid it would be to make the seller, upon all occasions, pay for the standing ground of his cattle upon his entrance into the market or fair. By this arrangement, a smaller charge might be made upon each beast going into the fair or market. Unless something is done by the Legislature, very great collusion might be practised if the taking of oaths were abolished, and the tolls of the fairs might at once be abandoned; and I cannot too strongly press upon you the importance of Government introducing some measure to put an end to these most illegal and objectionable practices.

I think in any new measure introduced, it should be made incumbent on the owner to afford sufficient accommodation in the market for selling and weighing, but it would not be fair to make him responsible for all the malpractices carried on in the market, as I think the duty of suppressing them should be discharged by the police. I think, however, that the patentee should be obliged to take security for the good conduct of the weighmaster, and the proper discharge of his duty; or, in the absence of his doing so, should be liable himself for the malpractices of the weighmaster.

717. Have you the patent for the market?—Not in my possession. I am in the happy position of being a proprietor, without a single title deed. I have never read the patent by which the fairs and market were created; but if I can procure a copy of it, I will send it to you.

718. Would it be desirable to fix what are reasonable tolls, by act of Parliament?—I think it would; I should prefer those charges and tolls should be defined and regulated by law.

719. What would be your opinion of a general market, in which all agricultural produce sold in the town should be weighed and sold, with sufficient accommodation, and an efficient staff, with a responsible person as weighmaster?—I should be strongly in favour of such a measure.

720. Would you be in favour, likewise, of an assimilation of all weights and measures through the country?—I would.

The Hon. *Frederick Cavendish* examined.

49.
Hon. F. Cavendish.

721. You have heard the statements which have been made; can you suggest anything further?—I can. Some years ago, before Lord Lucan came into possession of the property, I interfered, to put down the frauds which were practised in the market, by levying tolls, cranage, and other charges, and for that purpose I established a newspaper in this town. I found, however, the best way of resisting them was by bringing the case before a court of law; and, accordingly, a trial took place, in which Judge Burton decided that my view of the law was correct. I was, at that time, furnished with an Act of Parliament, passed in 1830, which prohibited any charge being made for tolls on potatoes sold in the market. After I brought that case before the court, the charge for tolls upon potatoes was abandoned for several years; but in consequence, I believe, of the badness of the times, and the smallness of the quantity of corn weighed in the market, that charge was revived, and is now collected. I apprehend that such is an illegal charge, but it is, notwithstanding, still upon the board.

Lord Lucan here denied that it was on the board, and stated, that in case any person charged for what was not on the board, he would be liable.

Mr. Cavendish.—At all events toll is paid upon potatoes at present; and so the weighmaster admits.

Lord Lucan here stated, that formerly the tolls of the market were leased to a person of the name of Gilden, for a long term; and that his father, from whom he inherited the property, had no more to say to the market than any stranger. In the lease to Gilden, the tolls and tongues were demised. The tongue of every beast killed in the market was claimed by Gilden, but was resisted; and it was decided, by a court of law, that he was not entitled to it. As soon as he lost the right to the tongues he surrendered the lease, and the tolls were then demised to Philbrim. Upon that occasion I had the board of tolls before me, and approved of it, having been advised that the charges made by it were perfectly legal. I demised the tolls upon that board to Philbrim.

Mr. Cavendish.—It was said that Gilden realized a large sum by the tolls and tongues. The practice of yielding the tongues was discontinued, in consequence of Judge Burton's decision. I subsequently brought an action against Faulkney, the father of the present lessee of the tolls, who also took a lease of the tolls: but, as I had a regard for him, I allowed that action to be abated, Faulkney paying all the costs incurred in it. The charge

CASTLEBAR, *8th October*, 1852.

49.

Hon. F. Cavendish.

upon potatoes has been recently renewed, and I hope this inquiry will lead to the suppression of it, which would be very desirable, as it is an imposition upon the public.

722. Do you think it would be desirable to do away altogether with the charge upon weighing potatoes: because the effect of that would be to raise the charge upon weighing corn and other produce?—I do not see why doing away with charges upon potatoes should raise the toll upon corn. Great abuses prevail in this market. I have known of instances in which men go about the market exacting toll upon everything brought into the market. They sometimes exact tolls upon bags of nuts; and I have known them, when the exaction was resisted, take large handfuls of nuts or apples from the baskets of the poor, in lieu of toll. I have also known them take hoops, in lieu of toll, from the poor, ragged boys selling them about the streets. I have also seen them taking money for tolls upon those articles; and I think that imposition is as extensively carried on here as ever it was. A charge for piccage, also, is still exacted, although the stands are placed in the public street. I do not think that such a charge could be legally exacted; and I understand it was decided by Judge Burton, at Killala, upon a civil bill appeal, that such a charge could not be enforced. This charge is exacted from every person erecting a stall in the street, opposite their houses; even if they only place a poll in the ground, for hanging a leg of mutton upon it, it is exacted.

723. Are the polls erected on the footpath or in the street?—The pathway is between the stalls and the houses.

724. Do such erections cause a legal obstruction?—They do not; but persons complain that they obstruct them in gaining access to their houses.

Lord Lucan—I claim to be entitled to piccage upon every stall standing in the market. About 30 years ago, my father let the shambles he had erected to a company, at a nominal rent of a guinea a year; they were subsequently ejected for non-payment of rent, as some difference took place between them and the butchers, who refused to sell their meat in the shambles. Previous to the ejectment, I offered the company £200 to allow me to stand in their shoes; but in consequence of some of the members having become bankrupt, they were unable to make out title. Mr. Cavendish must make some mistake about an act having passed in 1830, rendering any tolls upon potatoes illegal, for in that year I was a member of a committee, granted upon the application of Lord Leveson Gower, to inquire into the state of the law as to tolls and customs charged, and I should recollect it if any act of Parliament had passed.

Mr. Cavendish.—You may depend upon it, that you have no right to any tolls for potatoes. At the trial before Judge Burton, the patent, although called for, was not produced.

725. What would be your opinion of a general market, in which all agricultural produce sold in the town, should be weighed and sold under the supervision of a responsible weighmaster, with an ample staff and sufficient accommodation?—I think it would be a vast benefit to all parties: to the patentee, because nothing could be sold without paying him toll; and to the public, because then there would be proper inspection, and all parties would be thereby placed upon an equality; and to the town, because it would promote the trade of it.

726. Would you be in favour of an act of Parliament settling what would be reasonable tolls and customs?—I would.

727. Do you approve of the arrangement entered into between Lord Lucan and the merchants of this town, whereby Lord Lucan should be paid for toll on all corn sold and weighed in the private stores?—I do not; I think it would be a very great hardship; I do not see why the craner should derive the profit of weighing when he does not weigh.

728. Have you ever known of frauds having been practised in consequence of the agricultural produce being weighed at the merchants' stores?—I have not.

729. Can you suggest anything in addition to what you have already stated?—I should suggest, that if a weekly market were established, tolls or customs should not be collected upon any other day in the week on the produce sold.

730. Do you not think that it would be desirable to have a market upon every day in the week?—I do not think it would be required; besides which, a person has no right to exact tolls, except upon the day upon which his patent authorizes him to hold a market. That was decided by the case which was tried at Killala. I should also suggest, that the lessee should post up on the board the names of the persons employed by him to collect tolls.

Lord Lucan.—That is always done. I may add that my reason for dismissing Philbrim, was because he did not pay me the rent of the tolls; he owed me £500, and I told him that as he would not pay me, we should be obliged to part. I am aware that another reason for my getting rid of him was attributed to me; for I have been told by my bailiff that he had heard that Philbrim had paid me all the arrears due to me, and that the cause of my turning him out was because he had voted at the late election against my wishes. This was not the fact, as I was not aware of his being a voter, nor did I know how he had voted. If he would pay me the £500 he owes me, I would let him in again on the same terms as formerly.

Mr. Cavendish continued.—I can suggest nothing further, except that I should be strongly in favour of the general market described by you.

731. Would you be in favour of an assimilation of weights throughout the country?—I would; there could be no objection to the adoption of such an arrangement.

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8th October, 1852.

50.

Mr. Martin Barrett.

Mr. *Martin Barrett*, examined.

732. What is your occupation?—I am a farmer, residing within a short distance of the town of Castlebar.

733. Can you suggest anything in addition to what has been already stated?—Yes; I should suggest that in all cases the gross weight of the corn should be first taken, and afterwards the sacks tared, and their exact weight deducted. I should also suggest that a smaller weight than seven pounds should be employed in weighing corn, and that tolls should not be exacted twice for the same article, as frequently occurs in the sale of fruit, where toll is paid first for the cart-load going into the market, and afterwards for retailing it in the market. Toll is frequently charged two or three times on the same article in one day.

Lord Lucan observed—In any measure suggested, I hope the severest penalties will be introduced against any person guilty of fraud. I may mention a kind of fraud, of which farmers are frequently guilty, and which is called churning.—they put a churn without a bottom into the centre of the sack, and fill it up with an inferior kind of corn; this fraud cannot be detected, until the corn is emptied at the merchant's stores. The mode in which this fraud is usually detected, is by thrusting a knife, or some other sharp instrument through the sack, to the great injury of the sacks, and there are many disputes in consequence.

Mr. Cavendish here observed—I may add that the merchant frequently practices a fraud upon the farmer, by insisting, when the corn is emptied on the floor, that it does not correspond with the sample.

734. Would it not be advisable to have a sworn weighmaster, who would adjudicate in all differences between buyer and seller?—It would be most advisable and desirable, and frauds, on the part of both, should be severely punished; at present there is no supervision here, and no proper arrangements. I think all agricultural produce sold in the town should be sold and weighed in a public market; a very small charge would then be sufficient.

51.

Henry Browne, esq.

Henry Browne, esq., J.P., examined.

735. Where do you reside?—At Rahans, in this county.

736. Do you generally buy or sell in the market?—I do not buy or sell, except cattle.

737. Do you concur in the statements which have been made, or do you wish to suggest anything in addition to them?—I have had frequent complaints made before me, by the people of this town, of the conduct of Philbrim. I mentioned these complaints to Lord Lucan; and he stated that he was about to get rid of him, and that he would do everything in his power to remove the cause of those complaints. The complaints were, that Philbrim had several boards, which he had invented himself, and which did not correspond with the board which was posted, and had them brought down to the market, for the purpose of exacting larger tolls than he was entitled to demand. Thus, it was stated, that whilst upon the fixed board the toll upon pigs was only 1*d.*, upon the board which was carried down to the market they were charged 2*d.* I ordered him to give up this practice.

738. Do you know that he ever levied the higher toll?—Yes, several persons told me they paid it, and I summoned him; but no person appeared against him, and I heard that he bought them off with a drink; I never could make him amenable to justice. I may add, that whilst 5*d.* is the toll on the board for a cow and calf, 6*d.* was regularly charged by Philbrim for them. Various cases of quantities of fruit and other produce having been taken by force from the sellers in lieu of tolls have been brought before me. I can corroborate all the evidence of Mr. Cavendish upon that subject. With respect to fairs, I should state, that the evening before the last fair at Balla, which is held upon the 24th of September, and which, in the memory of the oldest inhabitant, has only been a one-day fair, I received a notice by post in the following terms:—

> Balla Fair.—Notice is hereby given, that in future the fair of Balla, held on the 24th of September, will be continued for three days. Sheep to be sold on the first day; heifers, bullocks, milch cows, and calves, on the second day; horses, &c., on the third day.
>
> *Balla, September*, 1852.

Notwithstanding this notice, I sent my cattle to the fair; and my men in charge of my cattle, upon their arrival in the fair, found about fifty men on the toll-gate, who had driven back all the horned cattle that had come early to the fair, in consequence of which the cattle got mixed and were shamefully ill-treated. My men attempted to pass the gate, but were driven back several times on the king's highway, and my cattle most shamefully treated and abused. When I arrived at the fair, my men told me what had occurred. I met Sir Robert L. Blosse's agent, and he told me that Sir Robert had no objection to my cattle getting into the fair. I found my cattle, and brought them up to the gate. Upon the cattle coming up, the party with sticks stopped them again. I did not think that any person would stop me; and, accordingly, accompanied them myself. Upon coming up to the gate, they stopped, jostled me, and ill-used my cattle. I threatened to bring the first man who struck my cattle before the police, but they did not desist; upon which I pulled out my knife, and said I would gut the first man who attempted to stop me. I rushed through them with the knife open in my hand and brought my cattle into the fair. The men at the gate, however, followed me up, upon my cattle being admitted. During the absence of the men, other cattle were admitted. I sold my cattle at the fair; and when I was accompanying the purchaser and the cattle out of the fair, the man at the gate asked me

CASTLEBAR, 8th October, 1852.

51. Henry Browne, esq.

for toll, saying, "You are inside the toll-gate, and must, therefore, pay the toll." I refused, and upon that occasion did not pay any toll, as the custom-man had no toll-board; and whilst he went to procure one, I brought my cattle through the gate. Upon another occasion a person complained to me that he had been charged 4*d.* for calves, whilst the price upon the toll-board was only 3*d.* I spoke to the custom-man upon the subject, and advised him to return the money; his answer was, "I should be d——d sorry to take your advice, —I think very little about you." I replied that I would make him. I went away, and was subsequently informed by the person who had made the complaint, that the overcharge had been returned. I bought thirty-three head of cattle upon another occasion in the fair, and when leaving it, toll was demanded. I said I would pay any toll they liked, but that I did so under protest, as they had no toll-board. "We have a toll-board," said he, pulling one from under the bridge. The toll-board was an illegal one, as it did not contain the name of the collector of the toll; but I paid 3*d.* upon the calves, which was the amount they could legally demand. In Clanmorris fair, I sent my man with some cattle of mine out of the fair; he also took charge of a beast belonging to a Mr. Quin, which was not sold. Upon his arrival at the gate, toll was demanded upon all the cattle, and he was obliged to pay toll upon Mr. Quin's beast, although it could not legally be demanded. Upon another occasion I sold some wool, and I made an agreement with the buyer that he should inspect the wool and have it weighed in Castlebar, in order that there might be no delay or dispute in the town of Tuam, where the wool was to be delivered. Upon my men going into Tuam, after the delivery of the wool, toll was demanded, and their carts were seized; as I had only given my men sufficient money to pay for the horses and themselves, they were detained in custody for some time, as they could not pay the charges, which was 4*s.* At length, however, the buyer paid it, and wrote to me, stating he had done so for my convenience; but that I was at liberty to stop it if I pleased, as it was an illegal charge. I should suggest that the fairs should all be held in a fair-green or field, affording sufficient accommodation, as it is very inconvenient to have cattle sold in the street of the town. I should also suggest, that all persons going into a fair should pay for standing-room on their entrance, and that there should be no charge upon cattle sold when leaving the fair: such would be a great convenience to the poor man, and I understand is the system adopted at Enniskillen and other places. At Ballinasloe I find it almost impossible to get my sheep into the fair, such an inconvenience would be avoided by having different fair days for sheep and horned cattle. The proprietors of fairs and markets receive the tolls, and do not afford sufficient accommodation for those who pay them; they should provide a field for the fair, and no cattle should be allowed to stand one moment in the street.

739. Is there sufficient accommodation in this town for fairs?—I think there is, but not for markets. I concur with what Mr. Cavendish has said respecting the standings, and perfectly recollect the disagreement between Mr. Gilden and the butchers. The result of that quarrel was, that the butchers refused to use the shambles erected by the company, and erected shambles for themselves in a very narrow lane in this town, called Shamble-lane, which was productive of very great inconvenience.

740. Would you be in favour of a general market in which all the agricultural produce sold in this town should be weighed and sold, with sufficient accommodation, an efficient staff, and under proper supervision?—I think it would be most beneficial to the farmer; but I think that the market ought to be held upon every day in the week: such a market would be great advantage to the poor. I forgot to state that the fair of Turlough is a very great nuisance; and that I witnessed a great riot at the fair of Newport, in consequence of the fair-green not being large enough, and some of the cattle having got off the fair-green into a man's ground; upon such occasions great injury is done to cattle. The fair-green at Balla is very bad; and I think Sir Robert L. Blosse, the proprietor of the fair, should give more accommodation than he does for the large amount he receives in tolls. My recommendations would be, to let no person receive toll who does not give sufficient accommodation and I would make all parties pay a very small toll on going into the fair-green, instead of coming out, and put a stop to the most objectionable course of illegal oaths, and the disputes and rows which occur in consequence.

52. Sir S. O'Malley, bt.

Sir *Samuel O'Malley*, bart., examined.

741. Can you suggest anything in addition to what has already been stated?—I think that all cattle should be charged for standing, upon their going into fairs, and that reasonable accommodation should be afforded, by the proprietor who receives the tolls, for all cattle exposed for sale there. I concur in all that has been said in favour of a general market, where everything should be sold and weighed. I do not see why potatoes should be exampted from charges for weighing.

742. Would you be in favour of an assimilation of weights and measures through the country?—I would be very much in favour of it. I may add, that bread is generally sold by the loaf, but they will weigh it if required. I would recommend that all bread should be sold by weight.

57. John M. Sheridan

John Martin Sheridan, esq., examined.

743. What is your occupation?—I am the Inspector of Weights and Measures in this district.

744. Is bread always weighed when it is sold?—Not unless the purchaser requires it to be weighed.

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53. John M. Sheridan.

745. Are any frauds practised in this town?—Yes; there were 600 persons convicted by me, in this district, since my appointment, for using improper weights and scales. This has put a check upon the practice in a great measure, and there is not now so much fraud practised in this way as there was.

WESTPORT, *9th October*, 1852.

54. The Marquess of Sligo.

WESTPORT, October 9, 1852.

The Most Noble the *Marquess of Sligo* examined.

746. Under what patent or authority is the market held in this town?—Under a very old patent.

747. Does the patent under which you claim define the tolls to be received by you?—I cannot say, but I believe it only grants the usual and accustomed tolls.

748. When was the market established?—I cannot say, I believe a very long time ago.

749. How often is the market held?—The patent gives the patentee a right to hold markets on every day in the week; but the general market is held upon Thursday or Saturday. I will send you a copy of the patent if you desire it.

750. Who is the owner of the market?—I am.

751. Are tolls paid in the market?—They are; but I have leased the tolls of the Market to Mr. Bland, for £50 per annum.

752. Are the tolls paid by the buyer or seller?—I believe by the buyer.

753. What accommodation do you give for the tolls?—There is a shed in front of the market-house, and a market-place, beams, scales, and weights, and a weighbridge; I also keep the market clock in repair; there are also shambles for the sale of meat.

754. Is the market-house devoted to market purposes?—It is not at present, with the exception of the shed in front of it.

755. Have the tolls and customs been always leased?—No; they were received by me for some time, and were little more than sufficient to pay the expenses and keep the town clean.

756. Do you pay the taxes?—I do not at present, but I formerly did.

757. Are you also the patentee of the fairs held in this town?—I am: there are seven fairs held in the town every year. I may add, that the lease to Mr. Bland includes the tolls of the fairs of Westport, Ardgower, and Louisberg.

758. Are the fairs here held in a field or fair-green?—No; they are usually held in the streets of the town. There is a fair-green, but it is not enclosed, and not sufficient to accommodate all persons frequenting the fairs.

759. What would be your opinion of a general market, in which all the agricultural produce sold in this town should be sold and weighed, with sufficient accommodation, an efficient staff, and under proper supervision?—I think it would be a very great advantage to all parties, but may observe, that there might be some difficulty in procuring sufficient accommodation, as the town is built in a hollow; this, however, might be obviated.

760. Can you suggest anything in addition to what has been already stated?—I cannot; I may observe, that my father and myself discontinued the collection of a very large amount of tolls which were formerly charged in the market; and I made a further reduction in the tolls lately. They are now, I believe, much lower than the tolls collected in the neighbouring markets. If all produce sold in the town were sold and weighed in the market, a very small charge would be sufficient to pay the expenses. I would not object to any enactment which would assimilate the tolls in all the markets, and settle what are, and what are not, legal tolls.

55. Mr. William Bland.

Mr. *William Bland* examined.

761. Where do you reside?—In the town of Westport.

762. What is your occupation?—I am a farmer. I also rent the tolls of this market from the Marquess of Sligo; the tolls of the fairs of Westport, Ardgower, and Louisberg, are also included in that lease.

763. How often is the market held?—Upon every Thursday; the crane is used upon every day, but no tolls are charged upon any day but Thursday, although there is a charge for weighing upon every day,

764. Give a list of the tolls and cranage charged in this market?—[*The Witness handed in the following list*]:—

A Schedule, specifying the Toll, Custom, and Duty, claimed by the Marquess of Sligo, and the several articles sold in the Towns of Westport, Louisberg, and Ardgower.

	s.	d.		s.	d.
Pedler's stand, 2*d.* to	0	1	Milch Cows, per head,	0	6
Baker's do.,	0	1	Dry Cows and Bullocks,	0	4
Hardware do.,	0	1	Horse,	0	6
Herring do., 2*d.* to	0	1	Colt, Ass, or Mule,	0	4
Hatter's do.,	0	1	Sheep, alive,	0	1
Shoemaker's do.,	0	1	Sheep, slaughtered,	0	2
Nailer's do.,	0	1	Live Pigs,	0	1
Leather-cutter's do.,	0	1	Sucking Pigs, per load,	0	1
Flannel and Frieze,	0	1	Slaughtered Beef,	0	4

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9th October, 1852.

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Mr. William Bland.

	s.	d.		s.	d.
Veal Calves,	0	2	Vegetables,	0	1
Lambs,	0	1	Cooper's Ware,	0	1
Goats,	0	1	Wool, per pack,	1	0
Kids,	0	1	Delft and Crockery,	0	1
Dried and raw Hides,	0	2	Market Crane, per draught,	0	1
Carts of Fish,	0	4	Feathers, per stone,	0	1
Loads of do.,	0	2	Baskets, per pair,	0	1
Butter, per crock,	0	2	Butcher's pot,	0	6
Potatoes, per sack,	0	1	Tents,	1	0
Oatmeal, per cwt.,	0	1	Hay, per cart, in one draught,	0	4
Cabbage,	0	1	Hay, per cwt.,	0	1
Cabbage Plants, per load,	0	1	Straw, per cart, in one draught,	0	3
Fruit, per load,	0	1	Straw, per cwt.,	0	1
Roots, per load,	0	1	Herrings, per cart,	0	4
Loy Shafts and Dishes, per cart,	0	2	Herrings, per load,	0	2
Onions, per load,	0	1			

(Signed,) WILLIAM BLAND,

Collector.

765. Is the sale of agricultural produce confined to the market?—Almost all the corn sold in this town is sold and weighed at the merchant's store; there is scarcely any corn sold or weighed in the market.

766. Is any toll charged for weighing corn?—Not at present; Lord Sligo abolished it.

767. Are the tolls charged paid by the buyer or seller?—The tolls are paid by the buyer on all cattle, by the seller on all articles of agricultural produce.

768. Is there an enclosed market-place?—No.

769. Is there a market-house?—There is; but it is not devoted to market purposes, with the exception of a shed outside it.

770. Do you exact tolls on grain not weighed in the market-place?—I do not.

771. Has a weighmaster been appointed?—Yes.

772. Has he been sworn under the 4th Anne, c. 14?—He has not; I was not aware that such was necessary.

773. Have a sufficient number of beams, scales, and weights been provided?—Yes; there is one pair of scales and a weighbridge.

774. Is all the agricultural produce sold in the town sold and weighed in the market scales?—It is not; almost all the corn sold is weighed in the merchants' private stores.

775. What quantity of corn would you say was weighed in your scales?—There is not any, except in seed-time; the principal produce weighed in the market scales are potatoes and turnips.

776. What are the charges for weighing in the market scales?—One penny for each draught of a hundred-weight, and 4*d.* for each cart-load of hay or straw. The list handed in will show the charges.

777. Do you never charge toll on hay or straw unless you weigh them?—I do not; I charge for nothing but weighing them.

778. Is there a butter market in this town?—There is not; butter is generally sold and weighed in private stores.

779. What are the deductions from the gross weight made in weighing in the market scales?—I make no deduction whatsoever; I generally tare the sack, and deduct the exact weight of it from the gross weight.

780. In weighing, do you call the weight by standing beam or by down weight?—By down weight; the scale must go to the ground.

781. What is the smallest weight used by you in weighing?—I use a one-pound weight in weighing oatenmeal.

782. What is the smallest weight used in weighing corn?—Seven pounds; but I allow the sellers, when weighing to them, their sack, so that they get the full weight. But, in fact, I never weigh corn, except in seed time.

783. Is any deduction made by you for beamage?—No.

784. What weight would it take to bring the scale from standing weight down to the ground?—About one pound.

785. In your weighbridge, what weight would it take?—About seven pounds.

786. In weighing on the weighbridge, do you make any deduction for the cart?—No; we put the cart upon the weighbridge and deduct its exact weight. It is not necessary to put the carts every day upon the weighbridge, as, if I have weighed the cart the day before, I know its exact weight.

787. If all the corn sold in the town was sold and weighed in the market-place, would it afford sufficient accommodation?—It would not.

788. Would the shed be sufficient for the purpose of weighing it?—It would not.

789. How many beams could be put up in the shed?—I think it would afford room for four beams and scales.

790. Does the weighmaster keep any book of the quantity sold, average price, and amount, with the name of the buyer and seller?—He does not keep any book or record of the sales made in the markets, but he puts down the sales each day upon a piece of paper which he hands to me.

WESTPORT, *9th October*, 1852.

55.

Mr. Wm. Bland.

791. Does he keep any record of the particulars I have mentioned?—He does not.

792. Does he give any docket to the buyer or seller?—He does, if required, to the seller.

793. If that docket were lost, could he give a duplicate of it?—He could not.

794. If Government required any information as to the foregoing particulars of the sales in your market, could you supply it?—I could; but it would not be very accurate. I could give a return of all the hay and straw sold in the market for the last three years, but I could not give the names of the buyers and sellers, for they are not entered.

795. What is the weight of a barrel of wheat?—In this town, wheat, oats, and barley, are always sold by the hundred-weight.

796. Does a hundred-weight always consist of eight stone of fourteen pounds avoirdupois?—It does, except in the case of wool and feathers, which are always calculated at sixteen pounds to the stone.

797. Is there a butter-market in this town?—No.

798. Is there an inspector of butter?—There is not; butter is usually sold in this town, for export at the dealers' private stores.

799. Is butter usually sold by lump or by weight?—It is usually sold by weight.

800. What is the greatest quantity of corn sold in a single day in this town?—I cannot say.

801. Is there an inspector of weights and measures?—There is.

802. How often does he visit the market?—About four times every year.

803. How often do you get your weights adjusted?—About four times a year.

804. What is the gross annual amount of the tolls received by you?—About £100 per annum; but I pay £50 per annum rent, and the expenses of collection are about £40.

805. Do you keep the shed in the market-house in repair?—I do, and I pay taxes upon it at present.

806. Have you heard of any frauds being practised by dealers in the town?—I have. On many occasions I have been called on to arbitrate between the buyer and seller, but have always declined to do so, as the article was not first weighed in the public scales.

807. Do you charge for weighing potatoes?—I do not, I charge only toll.

808. Do you think it would be for the benefit of the public to charge a small sum for weighing on each sack of potatoes?—I do; as if potatoes had to be weighed free a larger charge must be made on corn and other grain.

William Livingston, esq., examined.

56.

W. Livingston, esq.

809. Where do you reside?—In the town of Westport.

810. What is your occupation?—I am a merchant and corn dealer.

811. Do you buy or sell in this market?—I generally buy.

812. You have heard the answers of the last witness, are they correct?—They are correct.

813. Do you weigh all the corn you buy at your own stores?—I do.

814. Will you explain the system of weighing adopted by you in your own stores?—The corn is purchased by me by private sale—in sacks of oats, weighing from three hundred to four hundred-weight; or of wheat, from five hundred to five hundred and a-half. It is brought to my stores, and weighed there by the hundred-weight, and seven pounds or fourteen pounds deducted for the weight of the sack. We always take the weight down to the ground; sometimes, however, the sacks are tared, and the total amount of the weight of the sacks deducted from the gross weight.

815. Is any deduction made in your private stores for beamage?—There is not.

816. Why do you not in every case tare the sacks?—Because a great quantity of corn is brought to my stores upon horses, and it would occasion a great deal of trouble to have all those sacks weighed singly, and in such cases I usually deduct seven pounds for the weight of the sacks.

817. What is the smallest weight used by you in weighing corn?—Seven pounds.

818. The weight is either seven pounds or nothing?—It is; anything less than seven pounds would be thrown out.

819. Is any other charge made by you in weighing?—No.

820. Are the porters who unload and deposit the corn in your stores always employed and paid by you?—They are.

821. Is that the usual custom in this town?—It is.

822. Is there any deduction except those mentioned by you?—There is not.

823. Would you approve of a general market, in which all the agricultural produce sold in the town should be sold and weighed, with sufficient accommodation, an efficient staff, and under proper supervision?—I think, that if a market of that kind were established it would be a great advantage to all persons; I should, for the public good, be strongly in favour of such an arrangement, although it might be inconvenient to myself; but I do not think I should consider my own convenience in a matter affecting the public good.

Referred to in the Report, p. 23, as Q. 800.

824. If such a market were established, would not a very small charge upon each sack weighed be sufficient?—It would.

825. In case you purchased in such public market, would you require it to be weighed again in your own stores?—In some cases, I should, undoubtedly, check the weighmaster's return, but I would not make any charge for doing so. It would be only for my own satisfaction.

WESTPORT, 9th October, 1852.

56. W. Livingston, esq.

826. Do you think that such an arrangement would be satisfactory to the seller?—I do; for all persons would be thereby put upon an equality.

827. Have you ever heard of any frauds being practised upon the sellers by reason of the corn being weighed at private stores instead of in the public market?—I have heard of frauds being practised.

828. Are you in favour of the market being held every day?—I am.

829. Are you in favour of an assimilation of the weights and measures through the country?—I am; I would abolish the old barrel, and make the hundred-weight the standard everywhere. If all weight could be brought to decimals it would be an advantage.

830. Would it not be for the advantage of the farmer, in every case, to take the exact weight of the corn, and afterwards to tare the sacks, and deduct the exact weight of sacks from the gross weight of the corn?—I think it would; and the merchants would regulate their price accordingly.

831. Can you offer any suggestion in addition to what you have already stated?—I cannot.

832. Does not the present system operate in favour of the dishonest merchant, and go far to drive the fair trader from the market?—It does.

833. It is possible, under the present system, to get any accurate statistical return of the quantity sold, the average price, and amount?—It is not.

834. Do you think that sufficient accommodation could be found in this town for such a general market as I have described?—I do; I think two acres of ground would be sufficient for the purpose.

835. What should you say was the greatest quantity of corn sold in a week in this town?—I should say at present about 600 or 700 tons; in the year 1846 I took into my concerns in one week 500 tons.

836. Can you suggest anything further?—I cannot; except that I do not know of any town in which the system of weighing is more fairly carried on among the merchants than in Westport; but, as I before said, I consider a general market, though it might be inconvenient to me personally, would be a great public advantage, and I advocate it accordingly.

57. Mr. J. Buchanan.

The following evidence has been forwarded to us in writing by Mr. Buchanan. I shall read it, as he is not able to attend; and if any person present has any remark to make on the subject, we shall be glad to receive it.

Evidence of Mr. J. Buchanan.

The buyer claims an allowance for beamage and all odd pounds under half a stone; the allowance for beamage is deducted as a cast, and this entirely depends on the goodness of the beam, some beams taking three or four pounds to cast them, while others are cast by half a pound, the latter are those used within doors, but such as are constantly exposed to wet outside doors take a heavier cast.

I shall explain the mode of weighing by an example. Suppose a single bag brought to scale, and it weighs three hundred-weight standing beam. The craner is entitled to a cast; and as he does not recognise a smaller weight than half a stone, he calls the gross weight two hundred three quarters and twenty-one pounds; the tare of the bag is then to be deducted, and suppose, as it frequently happens with country people, that it is of light texture, and weighs two to four pounds, the craner deducts seven pounds for the sack, and the net weight to the seller is two hundred three quarters and fourteen pounds. Suppose, however, the bag to weigh, with a cast, two hundred three quarters and twenty-seven pounds, standing beam, six pounds will still be lost for the cast; and it is equally great on any smaller sack of corn.

The loss by either cast or tare of bags is less to a seller having a cart of corn to dispose of than to a person having but one bag. In the former case two and three bags are often placed in the scale together, and there is only one cast deducted on the entire, and in taring the sacks the whole number is placed at once in the scale.

This mode of weighing has been in use here, I believe, as long as any one living remembers; and though apparently a gain to the buyer, it is frequently not so. The lower order, to meet these deductions, of which they complain very hardly, resort to many frauds. Water is frequently, in the early season, thrown on the corn; and in filling it is a common practice to place in the middle of the sack a gallon without a bottom, into which is thrown all the dirty and light corn; sand and stones are also added—as the sack is being filled the vessel is carried up to the top. This mode is adopted to keep the bad corn from the outer part of the sack, and thus render it impossible for the buyer to detect it until the corn is started on the floor of the store.

The buyers are free from blame in thus weighing corn, it has been the modus of the country; but until it is put an end to by legislative enactment, as it should be, it will not be discontinued. Let the mode of weighing be standing-beam, the deduction for tare be only the actual number of pounds which the empty sack weighs, and then the seller will have no inducement to resort to fraud.

58. John Geraghty, esq.

John Geraghty, esq., examined.

837. Where do you reside?—In the town of Westport.

838. What is your occupation?—I am at present a grocer and spirit dealer; I was in the corn trade, but am not at present.

WESTPORT, *9th October*, 1852.

58.

John Geraghty, esq.

839. You have heard the statements which have been made, do you concur in them?—I entirely agree with Mr. Livingston; the system of weighing adopted in his stores is the same as adopted in the other private stores in this town.

840. Have you any suggestion you can offer?—I have not.

841. Would you approve of the establishment of a general market, such as I have described?—I would; I think the people would be better satisfied with such an arrangement, as the seller would sell at greater advantage, and the buyer would get better weight.

842. Would you be in favour of an assimilation of weights and measures through the country?—I would.

843. Have you heard of any complaints of fraud having been made in consequence of the corn sold in this town being weighed in the private stores?—I have.

John Martin Sheridan, esq., examined,

59.

J. M. Sheridan, esq.

844. What is your occupation?—I am Inspector of Weights and Measures for this district.

845. Where do you reside?—About six miles from Westport.

846. Have many cases of fraudulent weights came under your notice?—The weights at Westport are at present very correct, and have been so for the last two years. Since my appointment I have obtained over 600 convictions against persons who were using improper weights and measures.

847. Do you find the weights in the merchants' stores generally correct?—They are now very correct.

Referred to in the Report, p. 24, as Q. 825.

848. Have you obtained convictions against any respectable persons?—I have; against almost every respectable person in this town, except Messrs. Livingston, Pinkerton, and Thompson. I think the greatest frauds are committed in the country, at private scales and mills, where they do not charge for weighing, but merely keep scales for the convenience of their customers. In those cases they almost always lean to the buyers, and the man weighing frequently receives money from them, to give them a greater weight than they are entitled to. That practice is carried on very extensively at Claremorris, and the poor farmers, who cannot take their corn to a distance, are robbed.

849. Are the farmers aware that they are not fairly dealt with?—They are, and cannot help it; and in return practise frauds in the sacking of their corn, to meet the imposition, in not having their corn weighed correctly.

850. Can you suggest any thing, or give us any information, in addition to what you have already stated. I cannot.

Mr. *Thady Gorman*, examined.

60.

Mr. Thady Gorman.

851. Where do you reside?—In the town of Westport.

852. What is your occupation?—I am a butter buyer.

Referred to in the Report, p. 25, as Q. 830.

853. Can you suggest any thing in addition to what has been stated by former witnesses?—Yes; in selling butter, great frauds are committed by both buyer and seller: by the buyer, in sending persons to the country to purchase butter, and promising a much higher price than they will give when it is brought to their store; and by the seller, in fraudulently making up the butter. Very fraudulent weights are also used by the buyers, as the police well know.

854. Is butter sold by weight or lump?—By weight; there are eighteen ounces to the pound, if sold in rolls, otherwise it is only sixteen ounces to the pound.

855. What deductions are made by you in weighing butter?—Four pounds per hundredweight.

856. Can you suggest any remedy for the evils you have detailed?—I am strongly in favour of a public market, such as has been described, and I have frequently spoken about it to Mr. Bland.

James Pinkerton, esq., examined.

61.

J. Pinkerton, esq.

857. What is your occupation?—I am a miller in the town of Westport.

858. Do you generally buy or sell in the market?— I used to buy grain in the market, I now generally buy pork.

859. Can you give us any information or suggestions?—I think that a general market, such as has been described, would be a benefit to the town, and to all buyers and sellers in the market.

860. Do you approve of an assimilation of weights and measures through the country?—I do.

861. In buying pork do you make any deduction for beamage?—In buying dead pigs eight pounds on every pig is deducted for beamage; we do not, however, buy dead pigs.

BALLINROBE, *11th October*, 1852.

62.

C. Kenny, esq.

Ballinrobe, October 11, 1852.

Courtney Kenny, esq., J.P., examined.

862. Where do you reside?—In the town of Ballinrobe.

863. Under what patent is this market held?—I believe the patent was granted more than 200 years ago, before the rebellion of 1641.

864. Who is the owner of the market?—Colonel Knox. The tolls were leased to me and to my father for seventy years.

BALLINROBE, 11*th October*, 1852.

62.

C. Kenny, esq.

865. How often is the market held, and what are the market days?—The patent, I believe, gives a right to hold the market upon Mondays and Wednesdays, but it is now only held upon Mondays.

866. Are tolls paid in this market?—They are.

867. Is there an enclosed market-place?—No; but there are four markets, for the sale of corn, meal, potatoes, cattle, and eggs.

868. Is there a market-house?—There is one at the court-house, but there is no market-place adjacent to it.

869. Has a weighmaster been appointed?—Yes.

870. Have a sufficient number of beams, weights, and scales been provided?—No; I think an additional number would be a great advantage.

871. Is the sale of all agricultural produce confined to the market-places?—No; a great deal of corn is sold at the merchants' stores, and about the streets.

872. What would be your opinion of a general market, in which all the agricultural produce brought into the town should be sold and weighed, with sufficient accommodation, an efficient staff, and under the supervision and inspection of a sworn weighmaster?—I should be strongly in favour of the establishment of such a market, as I think it would confer great benefit upon the buyer and the seller, as well as upon the town; and the charge for weighing in it might be very small. The present system affords a great open for fraud.

873. Would you be in favour of an assimilation of weights and measures through the country?—I undoubtedly would.

874. Can you tell the deductions or allowances made in weighing butter?—I believe the stone of butter is usually calculated at sixteen pounds, with a tret of eight pounds upon every hundred-weight.

875. Do you think it would be beneficial if the Legislature defined by Act of Parliament what should be deemed reasonable tolls?—I think it would.

876. Can you suggest any thing in addition to what you have already stated?—The regulations for selling bread in this town are extremely bad, as well as the bread itself.

877. Is bread sold by weight?—It is not; and great frauds are practised in the sale of it.

878. What system is adopted in weighing wool?—The buyer takes standing weight, a deduction is made for beamage, and the sacks are tared.

879. Have you any further suggestions to offer to the Commissioners?—I would be in favour of a general market, and an assimilation of tolls and customs, as well as weights and measures; and I would oblige parties receiving toll to provide proper accommodation; and I would advise that a small charge should be made on entering the fair green, instead of when leaving it; and I would also do away with all deductions, and weigh standing-beam with one pound.

Mr. *Michael Cannan* examined.

63.

Mr. M. Cannan.

880. Where do you reside?—About three miles from this town.

881. What is your occupation?—I rent the tolls of the market from Colonel Knox; I am also a farmer.

882. Are tolls paid in the market?—Yes.

883. Give a list of the articles liable to it, with the amount paid upon each?—I have not one in my possession at present, and I live three miles from the town, but I will send you a correct one.

[*Witness sent the following list*]:—

Schedule of Tolls and Customs of the Town of Ballinrobe.

	s.	d.		s.	d.
Every horse sold,	0	6	Every sheep,	0	1
„ colt or filley,	0	6	„ sheep and lamb,	0	1½
„ milch cow,	0	6	„ goat,	0	1
„ dry cow, bullock, or heifer,	0	4	„ goat and kid,	0	1½
„ half collop, „	0	3	„ tent or cabin,	1	0
„ yearling,	0	2	„ cart of wooden ware,	1	0
„ calf,	0	1	„ ass,	0	3

884. Is there no toll-board exhibited in the market?—There is not; nor am I aware of it ever having been done.

885. Is there no printed copy of the market tolls levied in this town?—Not that I know of.

886. Have the persons employed by you to collect the tolls any printed or written copy of the tolls payable in this market?—They have not; upon fair days I give them a written paper containing the charges they are to make upon the articles sold, but I did not do so on the last fair day.

887. If they have not any paper in their possession showing the legal tolls payable in the market, how do they know what amount to charge upon each article?—I tell them the amount, and they can tell by their recollection.

888. Suppose a dispute arose, and the seller refused to pay toll, could your men furnish him with any written list of them?—They could not; in that case they would refer to me.

889. But you have no written or printed list yourself?—I have not; but I should recollect the amount to be charged upon each article for toll; or I could bring in the written list of charges from the country.

890. Are the tolls paid by the buyer or by the seller?—By the buyer upon all cattle, by the seller upon all articles of agricultural produce liable to tolls.

891. Are any of the market places enclosed?—No; they are held in a large square.

892. Is the sale of all agricultural produce confined to the market places?—No; it is frequently sold about the streets of the town, and at the dealers' stores.

893. Is there a weighmaster for each beam?—There is.

894. Is each weighmaster sworn under the 4th Anne, c. 14?—No; none of them have been sworn.

895. Have a sufficient number of beams, scales, and weights been provided for each market?—Not if all the produce sold in the town was weighed in them; there is no weigh-bridge.

896. Is all the agricultural produce sold in the town weighed in the market scales?—No; a great deal of it goes to be weighed in the merchants' private stores.

897. Give a list of the charges made by you for weighing in the market scales?—I charge one penny on every draft, except in weighing wool, for which I charge two pence per draft, or six pence for weighing a pack.

898. Is much wool weighed in the market in this town?—Very little.

899. Do you charge one penny per draft without reference to the weight?—I do.

900. Explain the system of weighing adopted in the market?—The scale must not actually rest upon the ground, but it must touch it three times; merchants will not take standing weight.

901. What weight would it take to bring the scale from standing-beam to the ground?—I should say about two pounds.

902. What deductions are made by you in weighing for the weight of the empty sack or beamage?—I generally deduct fourteen pounds for the weight of the empty sack and beamage, but I have sometimes deducted but seven pounds, where the texture of the sack was very light.

903. Do you ever tare the empty sacks, and deduct from the gross weight of the corn the exact weight of the empty sacks?—I never do.

904. Do you keep a book in which you enter the quantity, average price, and amount of all the agricultural produce sold and weighed in your market, with the names of the buyer and seller?—I do not keep any book.

905. Suppose Government required you to give a return of the quantity, average price, and amount sold, could you do so?—I could not, with any degree of accuracy, although I might be able to tell the number of sacks which were sold in the market, as the man weighing the produce gives me a return of the number of sacks weighed every day.

906. Do you ever give a docket to the seller of the quantity weighed, average price, and amount?—I do not, unless required.

907. Suppose that after a sale a dispute arose between a man and his employer as to those particulars, would you be able to supply a satisfactory docket of them?—I could not; but in cases where the owner of the produce does not attend himself I am generally required to give a docket; but, generally speaking, a man comes into the market with his own corn.

908. Suppose the seller lost his docket upon his way home, could you supply him with a duplicate of it?—I could not.

909. Then you keep no book of any sort?—I do not; each parcel of corn as it is weighed is marked by the weighmaster with chalk, upon the seller's hat, and I keep no account of it.

910. If the day was wet might not the mark be washed off?—It might.

911. Might not the carman or owner change his hat with another person?—He might; and it is frequently done.

912. What is the smallest weight you use in weighing corn?—Seven pounds.

913. The weight of the sack is seven pounds or nothing?—It is.

914. If the scale was at standing beam, would you deduct seven pounds?—I would.

915. What is the weight of a barrel of wheat?—In this market we do not weigh by the barrel, but always by the hundred-weight.

916. What is the weight of a barrel of potatoes?—It is usually calculated at sixty-four stones, but potatoes are generally weighed by the stone.

917. Is a stone weight always calculated at fourteen pounds avoirdupois?—It is; except in the case of wool, which is always calculated at sixteen pounds.

918. Does a hundred-weight always consist of eight stone of fourteen pounds avoirdupois?—It does.

919. Is there an inspector of butter in this market?—There is not.

920. Is butter sold by weight or by lump?—By weight.

921. Is butter generally sold in the market?—Sometimes it is, but it is also sold about the streets.

922. What is the greatest quantity of corn ever sold here in a day?—I cannot say.

923. What is the principal agricultural produce sold in this town?—Oats.

924. Is there an inspector of weights and measures for the district?—There is; Mr. Sheridan is his name; he is here.

925. Does he often visit the market?—He does.

926. Does he generally find the weights correct?—He does.

927. Have you ever heard of any frauds having been practised, by reason of the corn being generally weighed at the merchants' private stores?—Never.

928. What is the gross annual amount of the receipts by you for tolls?—About £100 per annum.

BALLINROBE, 11*th October*, 1852.

63. Mr. M. Cannan.

929. Who is it keeps the market-house in repair?—The market-house forms a part of the court-house, and it is kept in repair at the expense of the county.

930. Who keeps the beams and scales in repair?—I do.

931. How many fairs are held in this town?—Two; one upon Whitsun Tuesday, the other upon the 5th of December.

932. What tolls are charged at those fairs?—The same as those charged at the markets.

933. Are the tolls paid when the cattle are going into or out of the fairs?—When they are sold, and going out of the fairs.

934. Are oaths ever tendered to persons going out of the fairs, as to whether the cattle are sold or not?—They are.

935. Do they usually swear them upon the Scriptures?—They do not; they make them touch a piece of paper which is nailed to a post.

936. Are the fairs held in a fair-green?—They are held in a large square adjoining the public street.

937. To whom does that square belong?—It is the private property of Colonel Knox.

938. Does it afford sufficient accommodation for holding the fairs?—I think it does; but it is not enclosed.

939. Do you charge toll upon cattle sold upon any day but the market day?—I charge for weighing upon every day; and if I saw any cattle sold upon any other day, I would exact toll upon the sale.

940. Do you think that any improvement could be made in your market?—I do not know.

941. Would it not be an improvement to keep a book of the quantity, average price, and amount of the produce sold?—I think it might.

942. Do you not think that giving a regular docket would be more satisfactory than marking it with chalk upon the hat of the seller?—It would.

943. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and proper supervision, in which all the agricultural produce brought into town should be sold and weighed?—I would not; the market is better as it is; it would be very difficult to find a place affording sufficient accommodation for that purpose.

944. Then the present market accommodation would not be sufficient, if all the agricultural produce sold in the town were weighed in the market place?—It would not.

945. Have you any further information you can give us?—I have not; it might be very useful to have another beam and scales.

946. What is the height of your scales at standing beam?—About nine inches.

64. Robert Tighe, esq.

Robert Tighe, esq., examined.

947. What is you occupation?—I am a shopkeeper, in the town of Ballinrobe.

948. You have heard the answers which have been given to us by the former witnesses, do you concur in them?—I do not concur in all.

949. Will you state in what particulars you differ?—There is no system, no regularity in the market, the greatest confusion prevails, and the greatest injustice is practised upon the farmer. There never was a market which required a greater degree of reform. Stones are frequently put into the scales as weights, and I believe instances have occurred of a man getting into the scales as a weight. Many sellers consider that they do not get the weight to which they are entitled, and that they are better dealt with at the merchants' stores. I have often given seven pounds a sack in addition to the weight given by the weighmaster at the public scales.

950. Do they in the market scales usually lean to the buyer or the seller?—To the buyer. There is not a sufficient number of beams, weights, and scales, and there is no weighbridge. All these circumstances operate against the farmer.

951. What would be your opinion of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought to the town should be sold and weighed?—It is very much required, and very much to be desired. It would be a very great benefit to all parties; the honest merchant would be delighted at it, and the farmer would gain considerably by such an arrangement.

952. If such a market was established, and corn was weighed there, would you consider it necessary to have it weighed over again at your private stores?—I would not; I might weigh one bag in a load, if I suspected any unfair dealing, but generally I would take the crane note.

953. Does not the use of no smaller a weight than seven pounds in the market scales, operate injuriously to the farmer?—It does.

954. Would it not be much better if the corn was weighed to the pound with standing beam, the sacks subsequently tared, and their exact weight deducted from the gross weight of the corn?—I think it would be the fairest mode of dealing. The farmer frequently takes advantage of the allowance for the sack, and by wetting it, or some other means, makes it weigh more than fourteen pounds. I may add, that all the scales in this town take more than seven pounds to bring them from standing beam to the ground, as required in weighing, so that a man may lose near one stone. I may also mention a practice adopted by jobbers and dealers through this town and country. They weigh the corn they purchase in the market scales, and sell it in Westport, or some other large town, at a distance of fifteen miles from the place they purchased it, for the same price they give for it. They have

frequently informed me that they were enabled to do so, in consequence of the improper system of weighing, and the extra weight obtained in the public scales.

955. Have you ever known of bribes having been given to the persons weighing, to induce them to give greater weight to the buyer than he was entitled to?—I have known of some instances of that kind; but the general object in leaning unfairly to the buyer is because the buyer is generally a friend or relative to the weighmaster.

64. Robert Tighe, esq.

956. What deductions are made in weighing agricultural produce in a merchant's stores for sack and beamage?—The usual deduction is seven pounds for the sack, and seven pounds for beamage.

957. Is there any charge made for weighing at the merchants' stores?—There is not.

958. Is there any charge for porterage?—No; I always pay my own porters.

959. Would you be in favour of an assimilation of weights and measures all over the country?—I would have no barrel at all, and I would weigh entirely by the hundredweight and stone; I would have a stone of wool always consist of fourteen pounds. I may add, that the weighmaster has no right to charge for weighing potatoes in the market scales.

960. Do you think potatoes should be weighed free, as the effect of such would be to raise the charge upon corn and other grain?—I do not see any reason why a small charge should not be paid upon weighing potatoes, though it is illegal, at present, to do so.

961. Have you ever heard of the toll-collector claiming a larger toll than he was entitled to?—I cannot mention an instance at present. I am aware of their having made a great deal of money. There being no board posted, a great opportunity is afforded for fraud; and, for myself, I must say that I have not seen a toll-board posted in the market for a long time.

962. Can you give us any further information?—I cannot; the system of weighing in the public scales induces me to have my corn weighed in my own scales, as I could not get justice in the public scales; and I consider this market requires a thorough reform. I also agree with the suggestions made by a former witness about the fairs, as the present system is quite abominable, and leads to perjury, rioting, and great abuse of the unfortunate cattle.

William Burke, esq., examined.

65. William Burke, esq.

963. What is your occupation?—I am a farmer, in Connemara.

964. Can you suggest anything in addition to what has been already stated?—Yes; the system of forestalling, in the potato market, is very injurious to the farmer, and requires to be remedied. I have seen persons purchasing up all the potatoes upon which they would lay their hands, as they were coming into the market, and the consequence has been, that they were thus enabled to put what price they liked upon them in the market. The system of forestalling is very generally carried on in other articles.

Mr. *N. Walsh*, examined.

66. Mr. N. Walsh.

965. Where do you reside?—Near Ballinrobe.

966. What is your occupation?—I am a farmer.

967. Do you principally sell or buy in the market?—I principally sell.

968. You have heard the answers which have been given by previous witnesses, do you concur in them?—I concur with Mr. Tighe in almost everything he has stated. The market is very much in want of reform. There is a great want of additional beams and scales, and proper market accommodation, under proper supervision.

969. Have you known of any fraud having been practised, from persons weighing their corn at the merchants' stores?—I have. Mr. Clendining effected a great improvement in the market, but a great change has taken place in the arrangements since his time. Nothing was charged for toll for a long time, but only for weighing; however, the charges for weighing have since been converted into toll. The present system of weighing affords a great opportunity for practising frauds. Whilst I was the weighmaster of this town, the jobbers, who were in the habit of purchasing up the corn, for the purpose of selling it again, frequently offered to give me money if, in weighing corn for them, I would give them more than their due weight.

970. Did you ever accept money from them?—I never did. At the time I was weighmaster, I kept a registry of the sales made in the market, with the weight of every sack, and of every draft. The present system, in the potato market, is calculated to increase the number of forestallers, as the sellers are not fairly treated in it. A great number of persons collect round the scales, and render it impossible to have the potatoes fairly weighed. There is not a perfect weight in that crane.

971. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce sold in the town should be sold and weighed?—I would, as far as corn would go; but I think pigs should be sold in the fair-green.

972. Do you think it would be for the benefit of the merchant to purchase in such a market?—I think it would.

973. Do you think that a sufficient sum would be received to pay the person employed?—I think there would.

974. Would you be in favour of an assimilation of the weights and measures all through the country?—I would.

BALLINROBE, 11*th October*, 1852.

66. Mr. N. Walsh.

975. Can you suggest anything in addition to what you have already stated?—I cannot except I conceive the present system to be very injurious to the public; and certainly great complaints are made of it. I do not, however, think that fourteen pounds is too much to allow for the sack, as if a sack is wet it would weigh a great deal more.

976. Would it not be better, in every case, to tare the sack, and deduct its exact weight from the gross weight of the corn?—I think it would be a benefit to the farmer, and that no injury could be done to the buyer thereby.

977. Do you think that there would be any danger of the farmer defrauding the buyer in case the sack were weighed?—I do not think there would; at all events it might be easily provided against. I may add, that if the people were aware of the objects for which this Commission was issued, they would come in in hundreds, to bless you and return you thanks, as they are robbed at present to a frightful extent, by unfair weighing and improper deductions.

67. Mr. John Martin.

Mr. *John Martin* examined.

978. What is your occupation?—I am a farmer, residing in Connemara.

979. Do you buy in this market?—Yes; I buy a great deal of wool in the market.

980. What deductions are made in weighing wool in this market?—If the pack weigh eight hundred-weight the tret is eight pounds, one pound per hundred-weight is always deducted for beamage in weighing wool.

68. Mr. J. M. Sheridan.

Mr. *John Martin Sheridan* examined.

981. You are the inspector of weights and measures in this district?—I am.

982. Have you detected many persons using improper weights and measures in this town?—I convicted 140 persons for using light weights in this town.

Referred to in the Report, p. 24, as Q. 959.

983. Were any of the persons you convicted merchants, holding a respectable position in the town?—Yes, a great number of them; but I should observe, that not near as much fraud as formerly is carried on at present in this town. In one case I knew a person convicted for placing a man as a weight in the scales. I purchased a sack of corn for the purpose of ascertaining if such was the case, and sent it to be weighed. The sack was returned as weighing six stone less than its real weight; and the way it was made so much less was that the man that was placed in the scales to represent fourteen stone, stood upright in the scale, and by forcing the beam upwards with his hand, made the weight of the sack six stones lighter than it really was.

984. Was any charge made for weighing upon that occasion?—No; the craner got quite sufficient remuneration by his unfair mode of weighing. I have also seen parties after getting new weights pouring lead into them.

985. Did the case to which you have referred of a man being placed in the scale, occur in this town?—No, the case to which I referred took place at a country mill; but I have known of a man getting into a scale as a weight in this town.

69. Doctor Twiss.

Dr. *Twiss* examined.

986. Can you suggest anything in addition to what has already been stated?—There is a great want of shambles in this town; I have seen pigs killed in the streets of this town, and meat is carried about the town in a state very much calculated to injure the sanitary condition of the town.

70. M. O'Shaughnessy, esq., Assistant Barrister.

Michael O'Shaughnessy, esq., Assistant Barrister, suggested that some of the abuses alleged to exist, and of the frauds which prevailed, might be abated by the adoption of market juries.

71 Rev. Mr. Anderson.

Rev. Mr. Anderson suggested that a weighbridge would be of great benefit to the market, and was much required.

BALLINA, 12*th October*, 1852.

Ballina, Tuesday, October 12, 1852.

72. Henry Joynt.

Henry Joynt examined.

987. Where do you reside?—In the town of Ballina.

988. What is your occupation?—I rent the tolls of the market in this town from Colonel Knox Gore.

989. Under what patent is this market held?—I cannot tell; I believe the patent is a very old one.

990. When was the market established?—The market has been in existence for the last twenty years to my knowledge; but, I believe, from time immemorial.

991. How often is it held, and what are the market-days?—Once every week, upon Monday.

992. Who is the owner of the market?—Colonel Knox Gore.

993. Are tolls paid in the market?—They are.

994. Give a list of the various articles liable to toll, with the amount paid upon each.—[*The following list handed in as evidence*]:—

BALLINA,
12th October, 1852.

72.
Henry Joynt.

A Schedule, specifying the Customs, Tolls, and Duty, claimed by Colonel Knox Gore, on the several articles sold in the market of Ballina, or otherwise Belleek.

	s.	d.		s.	d.
Pedlers, per stand,	0	3	Each dead pig,	0	2
Bakers,	0	2	Sucking pig,	0	2
Hardware,	0	2	Dead sheep,	0	2
Herrings,	0	2	Dead beef,	0	6
Hatters,	0	2	Butter, per crock,	0	1
Shoemakers,	0	2	Potatoes, per sack,	0	1
Nailers,	0	2	Oats, per sack,	0	1
Leather-cutters,	0	2	Cabbage, per load,	0	1
Flannels and friezes,	0	2	Fruit, per load,	0	1
Milch cows,	0	6	Loy shafts and shovels,	0	1
Dry cows,	0	5	Vegetables, per load,	0	2
Horses and asses,	0	2	Cranagh, sloat, and dillisk,	0	1
Sheep,	0	2	Coppers for ditto,	0	1

995. Are the tolls paid by the buyer or by the seller?—By the buyer, upon cattle; by the seller, upon all other articles of agricultural produce.

996. Is there an enclosed market-place?—There is.

997. Is there a market-house?—There is; but we cannot induce the public to avail themselves of it.

998. Is the sale of all agricultural produce confined to the market-place?—It is not; nearly all the corn is sold and weighed in the merchants' private stores.

999. Has a weighmaster been appointed for the market?—Yes.

1000. Have a sufficient number of beams, scales, and weights been provided?—Yes.

1001. Has the weighmaster been sworn under the 4th Anne, c. 14?—He has not, although his predecessor was.

1002. Is all agricultural produce sold weighed in the market scales?—No; it is almost always weighed at the merchants' private stores.

1003. Is any charge made for weighing corn, independent of toll?—No; we charge whether they weigh or not, if sold in the market. If it goes to the merchants' stores no charge is made for weighing.

1004. If a load of corn stood for the day in the market-place, and was not sold, would a charge be made for it?—No; I have never done so.

1005. Is any toll charged in the schedule board for corn?—There is not.

1006. You say you charge 1*d.* per draught upon all corn weighed in the scales, do you make that charge irrespective of the weight of the sack?—I do.

1007. What kind of agricultural produce do you principally weigh in the market?—Potatoes.

1008. In weighing, do you give standing beam or down weight?—The sack must go near, but it need not touch the ground.

1009. What is the smallest weight used by you in weighing?—Seven pounds.

1010. If the beam was seven pounds at standing weight, would it be taken?—It would not; but I would, under those circumstances, allow the farmer to take that quantity out, and trim his sack.

1011. What deduction in the nature of beamage or allowances are taken from the gross weight of the sack of corn?—None. I generally tare the sack, and deduct its exact weight from the gross weight of the corn.

1012. Does the weighmaster keep a book, in which to enter the quantity sold, average price, and amount, with the names of the buyer and seller?—He does not keep any book.

1013. Does he give any docket of the sales to the buyer or the seller?—He does not.

1014. Have you more markets than one in this town?—Yes; there is another in which meat and butter are sold.

1015. Is any record kept of the sales which take place in the market?—No.

1016. If Government required you to furnish them with the quantity of grain sold and weighed in the market, with the average price and amount, could you do so?—I could not.

1017. If a dispute arose between the person employed to sell corn and his employer as to the quantity sold, subsequently to the delivery of the corn, could you supply him with a docket?—I could not.

1018. Is agricultural produce generally sold by the barrel or by the hundred-weight in this town?—By the hundred-weight.

1019. There is, then, no barrel of oats?—Sometimes oats are sold in barrels of three hundred-weight.

1020. Is there a barrel of barley?—There is; and its weight consists of three hundred-weight.

1021. What is the weight of a barrel of wheat?—Two and a-half hundred-weight, or twenty stone.

1022. What of potatoes?—Ten hundred-weight, or eighty stone.

1023. Is a stone weight always calculated at fourteen pounds avoirdupois?—It is, except in the case of wool, which is calculated at sixteen pounds.

1024. Does a hundred-weight always consist of eight stone of fourteen pounds avoirdupois?—It does.

BALLINA, 12th October, 1852.

72.

Henry Joynt.

1025. Is there an inspector of butter?—There is not; the butter is sold about the streets of the town.

1026. Is butter usually sold by weight or by lump?—By weight.

1027. How is bread sold?—Generally by the loaf, and not by the weight.

1028. What is the principal agricultural produce of this part of the country?—Oats.

1029. What is the greatest quantity of corn you ever knew sold in the market in one day?—I should say, about 700 sacks of twenty-four stone.

1030. Do you rent the tolls of the fairs held in this town, as well as of the markets?—I do; I am entitled to the tolls of the fairs and the markets as the executor of my father.

1031. What rent do you pay for the tolls?—If you require me to mention it to you, I will do so; but I would rather that it should not be made public.

1032. What accommodation do the public get for the tolls of the fair?—They get an enclosed fair-green.

1033. How many fairs in the year are held in this town?—Three every year.

1034. Are the tolls paid upon entering, or going out of the fairs?—Upon going out of the fairs.

1035. Is an oath ever tendered to a person going out of the fair as to whether the cattle are sold or not?—Yes; but only in case he is suspected.

1036. If the person in charge of the cattle refused to swear, would you exact the toll?—I would.

1037. Does not that practice lead to perjury?—I do not think it does.

1038. Does it not make a person think lightly of the obligation of an oath?—It does; it would be much better if the practice were put an end to.

1039. Are all the cattle sold in the fair-green?—They are; the fair-green is sufficiently large, and is enclosed.

1040. Have you heard of any frauds having been committed, in consequence of the corn sold being weighed in the merchants' stores?—I have heard persons express dissatisfaction at it.

1041. What were the nature of their complaints?—They said that they did not get sufficient weight.

1042. Do you know anything of the practice of weighing at a merchant's private stores?—Yes; 1*d.* is, by arrangement, charged upon every draught.

1043. How is the sum produced thereby appropriated?—It is applied in keeping up the quays of the town.

1044. Is any deduction made in weighing at the merchants' stores?—No; in the private store they generally tare the sack, and deduct the exact weight from the gross weight of the corn.

1045. In weighing, does the merchant take standing weight or down weight?—They take down weight.

1046. How much would it take in the merchant's scales to bring the scale from standing weight to down weight?—I think about three pounds.

1047. What is the smallest weight used in weighing at the merchants' stores?—Seven pounds.

1048. Then the weight of the sack is either seven pounds or nothing?—It is.

1049. Have you any further information to give, or suggestions to offer?—I have not.

1050. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be weighed and sold?—I would; I think it would be for the benefit of the public, as well as of the merchant, and would very much promote the interests of the town, and of the country generally.

1051. Would not all parties be thereby put upon an equality?—They would.

1052. Do you think the merchants in this town would object to such an arrangement?—I do not think they would; they would have no reason to do so, although some might.

1053. Do you think such an arrangement would give satisfaction to the farmers?—I am sure it would.

1054. Would it not be fair to weigh to one pound in every market, and then tare the sacks, and deduct the exact weight of the empty sacks from the gross weight of the corn?—I think it would; but such could not be carried out unless there was a public market, such as you have described.

1055. Would it not be advisable to have the weighmaster in such market sworn?—I think it would be quite necessary.

1056. Would you be in favour of an assimilation of weights and measures all through the country?—I would.

1057. What would you think of compelling the patentee of the market to supply sufficient accommodation in the market, at a small charge, as toll, for all butter and agricultural produce coming into it?—I think it would be very desirable.

73.

J. Malley, esq.

J. Malley, esq., J.P., examined.

1058. Where do you reside?—In this town; I have been a buyer in this market for the last forty years.

1059. Do you concur in the statements that have been made relative to the system of weighing adopted in the merchant's stores in this town?—I was the first person who brought a ship across the bar and up to this town. The merchant always charges the seller 1*d.* per

BALLINA, 12th October, 1852.

73.
J. Malley, esq.

sack, and keeps an account of the sums received in respect of that charge, and applies it to the keeping the quays in order, and in paying the harbour and pilot dues.

1060. Does the seller object to your making this charge?—He does not.

1061. Is it compulsory upon the seller to pay it?—No; he need not pay it if he does not like, but we will not buy his corn unless he does.

1062. Have you Commissioners in this town?—We have Harbour Commissioners.

1063. Is any other charge made for weighing in merchants' stores?—There is not; I may add, that the merchants pay 6*d.* per ton on corn purchased by them, for repairs of the quays.

1064. What deductions are made in merchants' stores for beamage and sack?—No deduction is made for beamage, and seven pounds is generally deducted for the weight of the sack, irrespective of the quantity of corn it contains; sometimes if the sacks, upon being emptied, appear to be very heavy, we tare them, and deduct their exact weight from the gross weight of the corn.

1065. What is the smallest weight you use in weighing in your stores?—Seven pounds.

1066. Then the corn is either seven pounds or nothing?—It is.

1067. Have you heard of any complaints of frauds practised, in consequence of the corn being weighed in private stores?—No; I think the sellers generally are better satisfied with weighing at the private stores than in the market scales.

1068. Would you be in favour of one general market in this town, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be sold and weighed?—I should be most strongly in favour of such a market, which, I think, would be for the benefit of all parties, the seller, and the honest buyer, especially in the sale of oats; and I think that all parties would be better satisfied at such an arrangement.

Referred to in the Report p. 22, as Q. 1043.

1069. Would you be in favour of an assimilation of weights and measures all through the country?—I would; it would be the fairest mode of dealing, but in this town we generally buy by the stone or hundred-weight, and not by the barrel.

1070. Do you buy in the fairs in this town?—Very seldom.

1071. Would you be in favour of charging all cattle going into the fair with a small sum, instead of exacting toll upon those going out of it?—I think it would be a very great improvement; the present system is calculated to make persons think very lightly of an oath.

1072. Would it be an advantage to regulate by act of Parliament what were reasonable tolls, all through the country?—I think it would be very desirable.

1073. Is there a butter-market in this town?—There is not; butter is generally sold in the houses and about the streets; in the sale of butter there is sometimes a great deal of unfair dealing; I think it would be a very great improvement if it were sold in a general market, such as you have described. Butter is always bought by the weight; in one year I bought 1,000 firkins for exportation.

1074. What allowance or deduction is made in weighing butter?—I never make any deduction, except the tare of the firkin, but I believe eight pounds is usually deducted for every hundred-weight.

1075. Could sufficient accommodation be found in this town for such a market as I have described?—I think there could; it would require about two acres, if everything were sold in the same locality.

Colonel Knox Gore requested leave to put the following question:—

1076. Would you not be of opinion that it would be very inconvenient to have all produce exposed for sale in one place, as the effect would be to bring all persons through the town, and oblige them to bring all the articles for sale to one place?—I do not see any objection to all agricultural produce being collected in one place for sale.

1077. Might not the general market-place be very inconvenient for one class of articles, whilst it was very convenient for another class; would it not be more advisable to have several different market-places, each appropriated to the sale of such articles as could be most conveniently brought to and exposed there?—I should be in favour of one general market, as the inconveniences resulting from having several distinct markets, and several distinct staffs, would more than counteract the inconvenience to which Colonel Knox Gore has alluded.

Colonel *Knox Gore*, examined.

74.
Colonel Knox Gore.

1078. Under what patent is this market held?—Under a very old one, I cannot state the date.

1079. Who is the patentee?—I am.

1080. Would you be in favour of a general market, such as has been described, in which all the agricultural produce sold in the town, should be sold and weighed?—I should be decidedly in favour of a general market. I may observe, that whilst I consider the owner of the market is bound to provide sufficient accommodation for all agricultural produce coming into the market, he is also entitled to some protection against his market or fair being changed, after he has incurred the expense of providing additional accommodation for that purpose; cases have recently occurred, in which, for political and other causes, markets held for a very long period have been deserted by all sellers and buyers, and other markets established contrary to law, to which all persons resort. Thus, for example, I heard the bell-man calling out yesterday, that the fair usually held at Dromore West would not be held there any more, and the same thing has taken place at Crossmolina. It

BALLINA, 12th October, 1852.

74. Colonel Knox Gore.

may be said that such could be remedied by an action of law; but who would be imprudent enough to bring an action against a pauper, by whom the right to hold the new market is generally claimed, and who is the party usually put forward in these cases. I think it is very questionable whether it would be more advisable to have one general market, such as you have described, or several distinct markets in different places, for the sale of the different kinds of produce which might be most conveniently brought for sale to them. I should suggest that a Commissioner should be appointed for to ascertain in each town which mode would be most convenient to the public, generally, whose interests and convenience are exclusively to be consulted; and if such Commissioner were of opinion that one general market would be more convenient, then let such be adopted irrespective of all private rights.

1081. If there were several markets, an efficient staff and a responsible and sworn weighmaster would be required in each; would it not be better to have one competent and respectable person, under whose supervision the sale of all agricultural produce and cattle should be sold and weighed?—I think it would, and this certainly is one strong argument in favour of one public general market.

1082. Could sufficient accommodation for one general market be provided in this town?—Undoubtedly. I would undertake to do so in case the Commissioner reported in favour of it. The present system is extremely injurious to the farmers and capable of reform. The farmer generally lays down his corn at the stores of the first merchant he goes to, and he frequently receives a less price for it thereby; and by reason of his unwillingness to leave the merchant's yard, as if he were seen doing so, it might be supposed that his corn was rejected for some cause, and his subsequent sale might be prejudiced thereby.

1083. Can you suggest any thing further upon this subject?—No. I should be delighted if a public market were established, such as you have described; and I will afford every assistance in my power for carrying out so desirable an object. I think the public good is alone to be considered, and that every proprietor is bound to afford sufficient accommodation for that purpose, irrespective of his own personal interests.

1084. Are you of opinion that it would be desirable that a small toll should be imposed upon cattle, upon their entrance into a market or fair, in place of having toll exacted when they were going out?—I am. Nothing can be worse than the system of administering oaths to persons when going out of the fair, to ascertain whether their cattle are sold or not. It is calculated to diminish the solemnity of an oath, and, I regret to say, that many people in this country esteem an oath so lightly that perjury is frequently committed.

1085. Have you ever heard of complaints being made of frauds having been practised in consequence of agricultural produce having been sold and weighed in private stores?—I have, frequently; but such are generally made of the person weighing, and not of the merchant, as there cannot be an honester class of men than the merchants of this town.

1086. Can you suggest anything in addition to what you have already stated?—The system adopted at the fairs in this neighbourhood, is extremely bad. It is utterly impossible for any person to know whether to send their cattle to a fair or not, from the uncertainty, as to whether the fair will be held upon the usual day or not. I should also suggest that if the market were established in one place, or in several, that the sellers should not be allowed to place their stands in the streets, but that the police should be empowered, under such circumstances, to clear the streets, as they are not empowered by law now to do, so as to compel the parties to go into the market-place or fair-green. I would, upon the other hand, make it imperative upon the proprietor to give sufficient accommodation. The political feeling roused by the late election has had a very great effect upon the fairs of this country. At the last fair of Moyle, a number of persons armed with bludgeons, went about threatening and intimidating persons who bought anything from persons who had voted for Colonel M'Alpine, so much so that some of the gentlemen of the country withdrew their cattle from the fair.

1087. Would you, as a proprietor of tolls, object to any legislation which would define what was reasonable toll, and assimilate the tolls over the whole country?—I would not; and I conceive that no proprietor should be allowed to levy toll unless he gave the public sufficient accommodation in return; but, at the same time, you must give the proprietor some summary mode of redress against any person establishing a market without a patent, to his injury, as the present law is very defective, as well as tedious and expensive; and until you secure the proprietor his rights he will not expend money.

75. Thomas Paget, esq.

Thomas Paget, esq., J.P., examined.

1088. Would you be in favour of a public market, such as has been described?—I would; and I think it would be much more convenient to have it in one place than in several separate places, as suggested by Colonel Knox Gore: the former would be a great advantage to all parties, and there is a place just suited for the purpose in the very centre of this town.

76. Doctor Atkinson.

Dr. Atkinson examined.

1089. Can you suggest anything in addition to what has been already stated?—I am opposed to a public market; but if such an arrangement were carried out, I think that there should be several distinct markets in which those articles which could be most conveniently brought there should be sold. Sufficient accommodation could not be found in

this town for one general market. I may add, that the meat markets are in a disgraceful state, and that there is not sufficient accommodation for the meat in the shambles. This is very injurious to the health of the town.

76.
Doctor Atkinson.

Mr. *Crane* examined.

77.
Mr. Crane.

1090. What is your occupation?—I am a merchant, in the town of Ballina.

1091. Can you suggest any thing in addition to what has already been stated?—I have been engaged in the export trade, in this town, for twenty-three years, and I must say that there is not an honester body of merchants to be found anywhere; no complaints have been made of their having defrauded the public to the magistrates. I do not see any advantage of, in every case, taring the sacks, as a fair weight is always deducted for them.

1092. Would you be in favour of a public market, such as has been described?—No; I would be opposed to such a system.

1093. What is your objection to it?—Every merchant has got his own beams, scales, and weights, and it would be inconvenient to him to have to spend the entire day at the market, instead of looking after his own business at his stores; besides, the day might be wet and cold, and such might be very inconvenient to the merchant.

1094. Might he not, if there were a sufficient accommodation, make his purchases without remaining there the entire day?—He might; but still I think the present system is more convenient to me than a public market would be.

1095. Would not a public market afford greater opportunities to the merchant of seeing and examining the corn before he purchased it?—It would.

1096. Would not such an advantage compensate him for any additional trouble he might have?—It would not.

1097. Would not the present system, in case the merchant was dishonest, afford an opportunity of defrauding the farmer?—I think it would; but, as I said before, the merchants in this town are a very honest body of men, and the farmers are extremely intelligent, and careful in protecting their own interests.

1098. Would it not be an advantage to have a sworn weighmaster?—I think it would; but very few complaints have been made of the system of weighing in this market.

78.
W. Heron, esq.

W. Heron, esq., examined.

1099. What is your occupation?—I am a miller, in this town.

1100. What would be your opinion of a general market, such as has been described?—I think that nothing could be more reasonable, and that it is very desirable. Until that is established there can be no proper system in our market; and I am satisfied it would be both beneficial to the farmer and the honest merchant.

1101. Do you think that the farmer would object to such a market?—I am sure he would not, as the present system is very inconvenient to him. The farmer, coming into the town, stops at the first merchant's store he meets with; and if he goes into the yard, he would rather take a lower price for his corn than it is worth than be seen coming out out of it with his corn unsold.

79.
George Orme, esq.

George Orme, esq., examined.

1102. Can you suggest anything in addition to what has been already stated?—Yes; I may mention that a fair is held at Crossmolina, upon the 15th of September, under a patent granted in the year 1759, upon the land of Mr. Fetherstone. That fair has been regularly held, up to a very recent period, when the fair, in consequence of some political feeling, has been removed to another townland, in the same locality, by a person of the name of Colgan; and whilst the old fair is deserted, the new one is resorted to by all the people in the country. We have no remedy to prevent such an unlawful interference with the rights of the proprietor, except by resorting to very expensive legal proceedings against a pauper.

1103. Was there a fair-green at Crossmolina?—There was.

1104. Was sufficient accommodation provided in such fair-green?—Yes, there was just the same accommodation as there had been for 100 years.

80.
Arthur Symms, esq.

Arthur Symms, esq., examined.

1105. Can you suggest anything in addition to what has been already stated?—The fair at Moyle was to take place on Thursday, but it was prevented by the misconduct of certain parties, who would not let sales take place in it.

1106. Cannot the police interfere?—They cannot, unless there is some breach of the peace, although such is a gross interference with the rights of the proprietor. At Newtown, also, there is another fair held, and, I understand, it is in contemplation to remove it from its present locality. I have received a notice to that effect. Some remedy should be devised to prevent such an interference with the rights of proprietors. I may add, that such cases result entirely from political feelings. Great abuses prevail in the butter-market. I know a man who sold and delivered his butter, and afterwards his butter was forced upon him, and the money he had received for it taken, by force, out of his pocket. It was actually a case of lynch-law, and no person would take his butter. I must say, I think that more fraud is practised upon the part of the buyer than that of the seller.

BALLINA,
12*th October*, 1852.

81.
Thomas Jones, esq.

Thomas Jones, esq., examined.

1107. Have you any suggestions to offer to the Commissioners?—I am one of the largest sellers of cattle in the fairs in this neighbourhood, and I should be strongly in favour of all cattle paying toll upon going into the fairs, and not when they are coming out. I would oblige all parties receiving toll to provide a proper enclosed fair-green, and I would allow no one to levy toll for fairs held on the high road, as it never was the intention that any person should levy toll, and give no return to the public.

82.
Peter Kelly, esq.

Peter Kelly, esq., examined.

1108. Can you suggest anything in addition to what has already been stated?—Yes, the system of forestalling, or purchasing up the butter and other agricultural produce, prevails to a dreadful extent in this locality. With respect to a general market, I do not see any place in the town which would be a convenient site for one public market, and which would afford sufficient accommodation for that purpose. I do not see any objection to having several separate markets in different parts of the town; but, I think, if you were to concentrate all the markets, you would lower the value of a great deal of property in this town, which is now let very high, on account of being near some market.

SLIGO,
13*th October*, 1852.

83.
Mr. Wm. Clarke.

Sligo, October 13, 1852.

Mr. *William Clarke* examined.

1109. Where do you reside?—In the town of Sligo.

1110. What is your occupation?—I am the deputy-weighmaster of this town.

1111. Under what patent is the market held?—I am not prepared to say.

1112. When was the market established?—From time immemorial; I have no idea of the date.

1113. Does the patent specify the particular articles liable to pay toll?—I believe not; I saw it once, and I think it grants the usual and accustomed tolls.

1114. How often is the market held, and what are the market days?—It is held three times a week; upon Tuesdays, Fridays, and Saturdays.

1115. Does the patent authorize the patentee to hold a market upon three days in the week?—I believe it does.

1116. Who is the present owner of the market?—John Wynne, Esq., of Hazlewood.

1117. Are tolls paid in the market?—They are.

1118. Give a list of the various articles that are liable to it, with the amount of tolls.—[*Witness handed in the following copy of the toll-board*]:—

A List of Customs, Toll, and Duty claimed by John Wynne, Esq., Patentee of the Fairs and Markets of Sligo, and collected by William Clarke, or his Deputy.

	s.	d.
Each barrel or back-load of herrings,	0	2
Each back-load of salmon or white fish,	0	2
Each car-load of hoops or twigs,	0	4
Each back-load of do. do.,	0	2
Each car-load of loy shafts,	0	0
Noggins, or any turned ware,	0	4
Each back-load of do.,	0	2
Each back-load of rods or baskets,	0	2
Each car-load of do.,	0	4
Each pair of creels,	0	1
Each hide, kip, or runner,	0	1
Each calf or goat skin,	0	0½
Each horse, mule, or ass skin,	0	1
Each dozen of rabbit skin,	0	3
Each car-load of tanned leather,	0	4
Each cake of fat,	0	1
Each pig, 1*d.*; sucking, young pigs,	0	0½
Each sheep, lamb, kid, veal, and slink calf,	0	1
Each pack of wool,	0	10
Each sack of do.,	0	2
Each piece of frieze, flannel, haircloth, or drugget,	0	1
Each back-load of hats,	0	4
Each stone of feathers,	0	1
Each load of mats,	0	2
Each car-load of lemons or oranges, 4*d.*, back-load of do.,	0	2
Each car-load of bark,	0	4
Each sack of dillisk or cranagh,	0	2
Each roll or lump of butter,	0	0½
Each quarter of bacon,	0	1

	s.	d.
Each car-load of cabbage, or any kind of vegetables,	0	4
Each back-load of do.,	0	2
Each load of besoms and rushes,	0	1
Each car-load of earthenware,	0	4
Back-load of do.,	0	2
Each covered standing,	0	4
On fair days,	0	6½
Each small standing,	0	1
On fair days,	0	2
Each leather-cutter and brogue maker's standing,	0	2
On fair days,	0	2
Each flannel standing,	0	2
On fair days,	0	4
Each butter standing,	0	1
On fair days,	0	2
Each back-load of cabbage plants,	0	2
Each car-load of do.,	0	4
Each cask of butter,	0	2
Each carcase of beef,	0	4
Each carcase of mutton, veal, and pork,	0	1
Each horse sold at fair,	0	6
Each cow or bullock above two years' old,	0	4
Each do. under two years' old,	0	3
Each sheep, lamb, and pig,	0	1
Wheat, Barley, Oats, rye, malt, Flour, oatmeal, and potatoes,	the 32nd part	

William Clarke,

October 13, 1852. *Deputy-Weighmaster.*

1119. Are all the tolls on that board levied at present?—With some exceptions they are.

1120. Are tolls paid by the buyer or the seller?—By the seller on all articles of agricultural produce, by the buyer upon all cattle.

1121. Is there an enclosed market-place?—There are three enclosed market-places; one for corn, another for butter, and a third for pigs.

1122. Is there an enclosed fair-green?—There is.

1123. Has a weighmaster been appointed?—John Wynne, esq., is the weighmaster; I am the deputy-weighmaster of the corn market.

1124. Have you been sworn under the 4th Anne, c. 14?—I have not.

1125. Have a sufficient number of beams, weights, and scales been provided?—Yes.

1126. Is all agricultural produce sold in the market-place?—No; a very great quantity of it is sold in the streets of this town.

1127. Is all the agricultural produce sold in the town weighed in the market scales?—It is not; a great quantity of it is weighed in the merchants' stores.

1128. What is the lowest weight used in the market scales in weighing oats?—Seven pounds.

1129. What is the system of weighing adopted in this market?—We weigh standing beam, allow seven pounds for beamage, tare the sack, and deduct its exact weight from the gross weight of the corn.

1130. Do you make a deduction of seven pounds for beamage in weighing potatoes?—I do.

1131. The weight of all agricultural produce must be seven pounds or nothing?—It must.

1132. Suppose the actual weight of the corn to be twenty stone six pounds, for what quantity would the farmer be paid?—He would only be paid for nineteen stone seven pounds, less the tare of the sack.

1133. Then the farmer might lose on every draft nearly thirteen pounds?—He might.

1134. Are there any other deductions?—There are not.

1135. What are the charges made in weighing?—None in the corn-market; it is weighed without any charge, except the two pence per sack toll to which I have already alluded. There is no additional charge made for weighing corn or potatoes.

1136. Do you enter in a book, kept for that purpose, the quantity of corn sold, the average price and amount, with the names of the buyer and seller?—I do not.

1137. Do you give a docket to the buyer or seller on every sale of corn?—I do; and I keep a duplicate of the docket for two years; it is frequently referred to during those two years.

1138. What do you do with those dockets after two years?—I burn them, generally, as the increase of them would be inconvenient.

1139. Suppose Government required you to furnish them with a statistical account of all those particulars, could you do so?—I could give an exact return of the number of sacks sold in the market, but not of the quantity contained in each sack.

1140. You have no record as to the quantity of what you do not weigh?—I have not.

1141. Do you sell in this town by the barrel or by the stone?—By the stone and hundred-weight.

1142. Is a stone weight always calculated at fourteen pounds, avoirdupois?—It is; except in the case of wool, which is calculated at sixteen pounds to the stone.

1143. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.

1144. Would you be in favour of an assimilation of weights and measures throughout the country?—I would. I think it would very much promote the good of the country, as it would avoid confusion, and be beneficial to the sellers and buyers.

1145. What would be your opinion of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the produce brought into the town, should be weighed and sold?—I would be strongly in favour of it. I visited the corn-market of Derry, in which all the sacks were brought into the market, and laid down by the farmers, with the assistance of porters belonging to the market. The corn was then weighed and placed in order, and the mouth of each sack opened for the inspection of the merchants, who went along the different parcels, and offered what they considered the value.

1146. Have you heard of any frauds being practised on the farmer in consequence of his weighing only at the buyers' stores?—I have.

1147. What were they?—The merchant not giving the farmer his due weight. I have known instances in which the farmer weighed his oats at the public scales, and afterwards sold it to a merchant, without informing him of its having been previously weighed; and on receiving the merchant's note of the weight, it was twelve stone deficient of what the load had weighed in the market scales.

1148. Are there many instances of this kind?—There are.

1149. Do you consider a general market, such as has been described, would effectually put an end to all such frauds?—I do. The present system is calculated to drive the honest trader out of the market.

1150. Is it your opinion that the merchants would oppose a general market, in which all produce should be sold and weighed?—I cannot see any grounds for their giving it opposition.

1151. Would not a sworn weighmaster be requisite in every market?—Without such an officer the market would not be complete.

SLIGO, 13th October, 1852.

83. Mr. Wm. Clarke.

1152. In weighing potatoes are the same deductions made as in weighing corn?—Yes.

1153. Is the payment of toll often evaded?—It is.

1154. Have the parties been prosecuted for doing so?—They have.

1155. Are complaints made against the farmers for fraudulently filling their corn into the sacks?—No. We have an inspector of the sacks of corn, who examines them very closely.

1156. Would it not be desirable to enter on the market notes the name of the buyer as well as the seller?—Perhaps it would; but it would be very difficult to do so, as it would be considered impertinent to ask who was the buyer; besides, a man wishing to weigh at the market scales generally does so before he sells the corn.

1157. If all the corn brought into the town had to be weighed at the market scales, would you have sufficient accommodation to do so?—I would; and a smaller charge of toll would be required if this principle was adopted.

1158. Does all the butter sold in the town go into the butter market?—No; some of it is bought at the merchants' stores.

1159. Give a list of the charges on butter?—Toll, 2*d.*, weighing, 2*d.*, inspector of butter, 1*d.*, and cooperage, 1*d.* per firkin.

1160. Do you receive the charges of 6*d.* per firkin?—I do; but I pay 1*d.* a firkin to the inspector, and 1*d.* a firkin to the cooper.

1161. Is the land on which the butter market is erected the estate of Mr. Wynne?—No; he pays a high rent for the ground to Lord Palmerston.

1162. Is butter usually sold by weight or by lump?—It is usually sold by weight in the market, but it is sometimes also sold by lump.

1163. Have you heard of any frauds practised in the sale of butter sold in the market?—I have. They frequently change the market brands, and make a third quality second, and a second quality first.

1164. What deductions are made in weighing butter in the market?—The butter is weighed to a pound, standing beam, and two pounds is deducted for beamage, and two pounds for soakage.

1165. Should it be thought necessary to strip the firkin, is any charge made for doing so?—Not unless the firkin is fraudulently branded, in which case 2*d.* is charged, which is paid to the cooper.

1166. What system would you recommend to be adopted in the butter market?—I think all the butter should be inspected, weighed, and stored in the market, and shipped direct from it, without going into the merchant's store. The present want of system gives an advantage to the dishonest trader, and drives all the respectable dealers out of the market.

1167. How many fairs have you during the year?—Five. We ought to have more; that number is not sufficient.

1168. Are tolls charged at the fairs, whether the cattle are sold or not?—No.

1169. How do you ascertain whether the cattle are liable to the toll or not?—The man in charge of the cattle is asked whether the cattle are sold or not: if he says they are, he is obliged to pay the toll; if he says they are not, he is called upon to clear them by putting his finger upon a piece of paper placed on the top of the custom-gap: if he declines to do so, he is obliged to pay the toll.

1170. Is such a proceeding supposed to represent the taking of an oath?—I do not think it can be called taking an oath to touch a piece of paper.

1171. But does not the man consider that he is taking an oath?—He does; but I do not force him to do it.

1172. Must he not do so, or pay the toll?—He must.

1173. Would it not be more satisfactory to all parties to have a small toll imposed on all cattle going into the fair?—It would be a very great advantage, and the public would be much better pleased.

1174. Would any poor persons be inconvenienced, by not having sufficient money to pay the toll going into the fair?—I think very few persons going into the fair would not have sufficient money for that purpose.

1175. Would you not have a heavy penalty attached to the commission of any fraud in the fair or market?—I think that there should be some summary mode of proceeding against either buyers or sellers for frauds or breaches of contract. The farmers in this market are often robbed to a great extent: some of the merchants keep spies in the market, who tell them when the farmer weighs in the market, and the merchant is then on his guard; but if a farmer was known to weigh regularly in the market, his corn would not be bought.

84. Edward Verdon, esq.

Edward Verdon, esq., The Mayor of Sligo, examined.

1176. Can you suggest anything in addition to what has been already stated?—Frequent instances come before me of frauds practised in the butter market. The people labour under the delusion that the Mayor has jurisdiction to assist them, but he has not. A countryman sells butter to a merchant, he leaves it at his store, and returns in the evening for the price; upon his return he is told that the butter is not equal to the taster's brand, and he is thus obliged either to accept a much lower price, or he loses his market. I find it very difficult to deal with such cases, as I do not think they actually amount to frauds; but I always insist upon the countryman getting back his butter. That practice appears to be a mere dodge, for the purpose of getting the butter under its value.

1177. Are those frauds confined to the butter market?—They are. I have not known three cases of complaints being made in the grain market of the same sort, within the last three years.

84. Edward Verdon, esq.

1178. Would you be in favour of a general market such as I have described, in which all the agricultural produce brought into the town should be sold and weighed?—I certainly would.

1179. Would you be in favour of an assimilation of weights and measures all through the country?—I would.

1180. Do you not think it would be more convenient if a small charge were imposed upon any article going into the market?—I do; and I also think that power should be conferred upon the magistrates of dealing summarily with all disputes arising between the buyer and the seller in the market, and punishing frauds and breach of contracts.

Moses Monds, esq., J.P., examined.

85. Moses Monds, esq.

1181. What is your occupation?—I am a merchant in the town of Sligo. I have been mayor of this town.

1182. Are you a buyer or seller in this town?—I neither buy nor sell in this market.

1183. Can you suggest any thing in addition to what has already been stated?—I have heard complaints made of the system of weighing in the public market, of the heaviness of the charges and deductions. The corn market has ample accommodation, possesses a sufficient number of beams, weights, and scales, and is well enclosed. Standard weights are used in the market, and are regularly inspected by the inspector of weights and measures, appointed by the Grand Jury. No weight less than seven pounds is used in weighing a sack of oats in the market, and fourteen pounds are usually deducted for the tare of the sack. I would suggest that all grain should be weighed to the pound, gross weight, and that the tare of the empty sacks should be taken, and deducted therefrom. Some of the merchants in this town have, to my knowledge, adopted this practice, with great benefit to themselves; and, I think, if this were done it would be advantageous for all classes to make it compulsory that all grain should be weighed and purchased in the public market. I have known sellers of grain defrauded, in private stores, by buyers, to the extent of *thirty stone* in a cart of oats. In the case to which I allude, I was present at the conviction; and the way in which the fraud was effected was as follows:—the grain was weighed correctly, and the real weight called out to a clerk in an inside room, who took down a different weight from the actual weight; the seller, in that case, had the market docket in his pocket, and produced it, when the fraud was supposed to be effected. Oats are frequently mixed with sand; and the portions of oats on the outside and top of the sack are of a better quality than that in the heart of the sack. I was mayor of Sligo in 1849, and several such cases came before me. By the 58 Geo. III., c. 82, in cases of that kind, the seller forfeited the corn; but by the 14 & 15 Vic., c. 92, s. 7, the magistrate is empowered to dispose of the corn as he shall think fit, and may impose a fine, not exceeding 40*s*., upon the seller. This is a far more equitable arrangement; for if the corn was not quite equal to the sample, a magistrate would sometimes feel it very hard to deprive the seller, on that account, of all his grain. The butter market is also well enclosed, and has a large range of offices for storing butter, which may be inspected, coopered, and weighed, in the market. It is fairly weighed, and honestly inspected; but there is an allowance of from four to five pounds taken off for beamage and soakage, which is objectionable. All such deductions cause annoyance and vexation to the farmer, and are of no advantage to the trader, for, if abolished, the prices would soon accommodate themselves to the change. The frauds in the butter market are great on the part of the sellers. The tare of the firkin is often more than that branded upon it, and the quality is not the same throughout. Sometimes, but very rarely, it is adulterated, too, with other substances, and very often coloured with annotto. The frauds on the part of the purchasers are so numerous, that nearly all honourable traders are driven out of the market. Butter made seconds and thirds by the inspector, are frequently changed into firsts and seconds by the trader; and I have frequently known a quantity of butter, sold to the trader, by farmers living ten or fourteen miles distant from Sligo, returned to the farmer late in the day, when the market was over, because the trader did not like the inspection. Such occurrences take place every day, and the farmer has no legal remedy but to sue the trader for his breach of contract. The 10 Geo. IV., c. 41, repealed the 7 & 8 Geo. IV., c. 61, which imposed a penalty on altering or counterfeiting brands, and was, I think, a bad enactment. The necessity of a butter inspector and weighmaster is evident, as, although not imperative on them, both sellers and buyers make use of them. But the decision of the butter taster should be binding on all parties, and no change of brands permitted. The butter trade is large, and will greatly increase, as tillage has not paid for several years. Above £30,000 worth was shipped the last month from Sligo; and if the legislature interpose at all between buyer and seller, the honest trader should be put on a level with the fraudulent. I am strongly in favour of market regulations, and of all grain and butter being sold and weighed in the public market, gross weight, no tares, no beamage, and a penalty for altering brands or weights. A government officer, above local influences, would be required in any shipping port to carry out such an arrangement. There is no meat market, no vegetable market, or no turf market in Sligo. These are much required. Standings, for the sale of goods, are in some of the streets, which is a great nuisance, and of very little value to the proprietor of tolls and customs, who would very willingly, I believe, see them removed, but does not wish to give up a

SLIGO, 13th *October*, 1852.

85. Moses Monds, esq.

right, which he has by patent, and which is recognised by the local act, under which the town is watched, lit, and cleansed. An assimilation of weights and modes of selling, over the kingdom, would be very desirable. Few farmers, and not all traders, can know from market notes, or prices current, the value of farming produce in other places. I shall give a list of a few articles :—

Oats.	
Sligo, per sack,	24 stone.
Belfast, „	112 lbs.
Dublin, „	198 „
Wheat.	
Sligo, per barrel,	20 stone.
Dublin, „	282 lbs.
Glasgow, „	240 „
Bristol, „	480 „
Liverpool, „	70 „

Oatmeal.	
Sligo, per	112 lbs. 1 cwt.
Derry „	120 „ „
Potatoes.	
Sligo, the peck is	56 lbs.
Leitrim, „	112 „
Donegal „	10 „
Belfast, sold for from	112 lbs.

When a farmer meets with quarters, barrels, bushels, bolls, pecks, cwts., stones, as in prices current, he can hardly guess the quantities in these denominations. Five fairs are only held in Sligo, from October to May. Sligo fair-green is well enclosed, sufficiently large, and in grass; but many of the fairs—and those important ones—are held on the public road in this county. Purchasers and sellers are up to their knees in mud, the cattle are injured, and frequent losses and mistakes, for want of enclosures. No tolls should be paid where no value is given. If the proprietor gives suitable ground and encloses it, it is fair enough to charge something; but tolls should be reduced to one-fourth their present amount, and all parties bringing cattle to the fair pay it. At present it is only paid in case of a sale, which causes much fraud, illegal oaths, and perjury. A legislative enactment, to insure the weighing of all grain and butter, without beamage, tares, or any other deduction, in the public market; penalties for frauds or erasures of brands, to be enforced summarily; a large reduction of tolls in fairs and markets, to be paid by all persons bringing produce into them, whether sold or not; and a general assimilation of the weights, quantities, and denominations, used in buying and selling, would be one of the greatest boons to the agricultural population of Ireland, and would also be of service to the upright trader.

86. Mr. Edwd. Ferguson.

Mr. *Edward Ferguson* examined.

1184. What is your occupation?—I am a butter merchant in the town of Sligo.

1185. Do you concur in the statements which have been made respecting the butter market in this town?—I do not; Mr. Monds stated that complaints were made of the system of fraud adopted in the butter market; he also stated that it was calculated to drive all honest men out of the trade. This I deny; there have not been forty instances of fraud in the eleven years I have been in the butter trade. I do not think they could have occurred as stated. The butter merchants are always prepared to deal fairly, and pay for the butter if it is good. If Mr. Monds be right, and the butter merchants are to be estimated by their wealth, "it is money which makes the man."

1186. Do you inspect the butter you buy yourself?—I do, and I am much better satisfied in doing so. I knew a case a short time ago, in which the butter inspector examined nine firkins of butter, and qualified them as nine fourths; in two hours and a-half afterwards, the very same butter was again sent into the market, and examined by the inspector, when he qualified eight of them as seconds and one of them as a third. His former mark had been removed.

1187. Do you refuse to take butter upon the ground that it does not correspond with the taster's mark?—I do; and I think I am quite justified in doing so, as I could not afford to pay the price of second quality for butter which was a fourth quality.

1188. Do you export much butter?—I do.

1189. Do you generally qualify the butter yourself?—I do.

1190. Are any faults ever found with your qualification?—Very seldom.

1191. Do you get as large a price for your butter, as is generally got for the butter sold, inspected, and branded in the market?—In many instances I have received a higher price.

1192. Have you ever changed the market brand, altering the quality of the butter from third to a first quality?—I have, as I considered it better butter than much I have seen branded as a first quality. Very great frauds are attempted to be practised upon the buyers by the sellers. Thus, I have seen a firkin of butter, with two inches of a superior kind of butter at the top, and underneath, butter of a very inferior quality.

1193. Do you ever buy by lump?—I do.

1194. Where you buy by lump, do you ever draw the butter?—I do; and if I find it is not equal to the brand I reject it.

1195. Do you, in that case, draw the butter before you buy it?—No; I take it upon the seller's assurance that it is all equal to the top. I must also mention a very improper practice, adopted by the man who attends Mr. Molony, in his inspection of the butter, and who draws the butter for him to taste: after the butter, which he has drawn, is tasted, he does not return to the firkin the entire quantity of butter drawn by him, but only sends the borer down part of the way, and takes the piece which remains at the top off with his thumb, and retains it for his own use. To this fraud Mr. Molony must be accessory, and the man thus acquires, in a day, a large quantity of butter.

SLIGO,
13*th October*, 1852.

Mr. *James Simpson* examined.

87.

Mr. James Simpson.

1196. What is your occupation?—I am a farmer, residing at some distance from this town.

1197. Are you a seller in this market?—I am.

1198. You have heard the statements which have been made, do you concur in them?—I concur with the evidence of Clarke; I have known instances, in which butter was bought out of this market, where the buyers stated that they had been obliged to pay the toll upon the butter, to Mr. Wynne, and stopped the amount stated to have been paid, from the seller, although in fact, no toll whatever had been paid upon the butter. I was once upon a jury, where a partner in a mercantile firm was convicted of defrauding a farmer in the weight of a load of corn, of eight stone upon every sack, or forty-five stone upon the entire load. The case was afterwards removed by *certiorari* to the Queen's Bench, and the proceedings quashed for some irregularity. In that case, the seller had previously weighed his corn at the market scales, and had his market note in his pocket. A practice is prevalent amongst the buyers, of having spies in the public market, and if a farmer gets his corn weighed there, they give notice to the merchants, who, when the corn comes to be weighed at their stores, will sometimes allow more than the weight in the market. This is done to deceive the farmer, and enable them to keep up the system of fraud which prevails; they would not do so, if the corn had not been previously weighed. With respect to the fairs, nine-tenths of the fairs held in this country are held upon the public roads, and no accommodation is given by the proprietor for the tolls collected in such fairs. In some cases the road is so crowded that the mail-coach is obliged to go in a walk for a long way through the fair. The greatest riots take place, in consequence of the system of exacting tolls when the cattle are going out of the fairs, as some persons force their way out. At a recent fair, I heard of a man who had his eye knocked out. I should be decidedly in favour of having a small toll imposed upon all cattle going into a fair, as such would prevent the disgraceful system of administering illegal oaths, which is now practised.

Referred to in the Report, p. 24, as Q. 1172.

1199. Does the system you allude to lead to much perjury?—I do not think the people, generally, would perjure themselves to avoid paying so small a sum, but it is calculated to lessen the solemnity of an oath; and I have known persons evade the payment of the toll, by giving the cattle in charge to another person, who had not either bought or sold in the fair, and their being cleared by his stating that he had neither bought nor sold them. This fraud is now put an end to, by making the party driving the cattle swear they have neither been bought nor sold; but the evasion of the toll is effected by persons entering into the contract for the sale, inside the toll gate, and not completing it until after the cattle are freed, and have been brought out of the fair.

1200. Would you be in favour of a general market, such as has been described, in which all the agricultural produce brought into the town, should be sold and weighed?—I would; it would be a very great advantage to the farmer.

Referred to in the Report, p. 24, as Q. 1174.

1201. Would you be in favour of abolishing all deductions, weighing to a pound, and regulating the price accordingly?—I would; but there might be some difficulty in calculating the fractional parts of the stone, by which the corn is bought. Complaints have been made by London butter merchants, that sufficient weight was not deducted for the firkins.

1202. What deductions are made in weighing butter?—Two pounds for beamage and two pounds for soakage, where the firkin does not exceed five stone; if it exceeds that, one pound is deducted for every additional stone.

1203. What are the deductions in weighing adopted at private stores?—Merchants generally deduct seven pounds for the weight of the sack, if the gross weight does not exceed twenty-four stone; but if it is thirty-one stone, one stone is generally deducted for the sack.

1204. What is the smallest weight used in weighing at merchants' stores?—Seven pounds.

1205. Suppose there were twenty stone six pounds in the sack, for what quantity would the seller be paid?—For nineteen stone.

1206. Is the system of weighing in the merchants' stores the same as that adopted in the public market?—It is; but more frauds are practised in the merchants' stores. There are, however, many of the merchants in this town who weigh with perfect honesty, and one merchant in the town always tares the sacks, instead of making a deduction for them.

1207. Is any charge for porterage made in the merchants' stores?—Yes; they charge, generally, 1*d.* per sack, and ½*d.* for a small bag, for porterage.

1208. Would not the merchant, under the charge of porterage, receive considerably more than sufficient to pay the men employed in unloading and depositing in his loft the seller's corn?—He might.

1209. Suppose a farmer sent his own servants to unload his corn at the merchant's stores, would he be charged for porterage?—He would.

Joseph Simmonds, esq. examined.

88.

J. Simmonds, esq.

1210. What is your occupation?—I am inspector of weights and measures for this district.

1211. Have you detected many frauds lately in this town, by the employment of improper weights and measures?—Not lately; there were only nine convictions for false weights and measures last year, and the deficiencies in the weights were very small.

1212. Do you in every case, where there is any variance from the standard weight, proceed against the party?—No; if the deficiency was very trifling I would make the owner get his weights adjusted.

SLIGO, 13*th October*, 1852.

Mr. *John Molony* examined.

89. Mr. John Molony.

1213. What is your occupation?—I am the inspector of butter in this town.

1214. You have heard what has been stated with reference to your having qualified nine firkins of butter as fourth quality, and, within two and a-half hours, qualifying eight of those firkins as second quality, and one as a third quality; is such possible?—It is not; if the firkin was changed, and a clean one substituted for a dirty one, I might make a mistake as to one quality, but it is utterly impossible that I could have made the mistake it is alleged I did.

1215. You have also heard it stated, that the man employed by you was in the habit, after he had drawn the butter, of not returning the entire quantity drawn, but of only sending the borer down through a portion of the firkin, and taking the piece which remained at the top off with his thumb, and retaining it for his own use; is that true?—I heard that it was the practice, when the man could not return the entire quantity into the firkin, for him to retain it.

1216. Did you ever complain to Mr. Clarke of his having done so?—I did not; Mr. William Clarke stated that he had been apprized of it, and that he intended to mention the matter to Mr. Wynne when he came to the county.

1217. Did you ever speak to the man you employed about retaining the butter?—I did not.

90. Mr. Robert Clarke.

Mr. *Robert Clarke* examined.

1218. What is your occupation?—I am a farmer, residing near this town.

1219. Are you in the habit of selling butter in the market?—I am.

1220. You have heard the statements which have been made, can you suggest any thing?—Yes. The character of the butter of this town has very much risen since Mr. Molony became inspector of the butter market, and is now the second best butter market in Ireland: Waterford is the only town superior to it. As a proof of Mr. Molony's qualification, I may mention, that my man is frequently in the habit of purchasing small quantities of butter for me in Manorhamilton, which I put into firkins and send into this market. I recently sent six firkins of butter, thus made up, into this market, all of the same quality, and, in order to test the accuracy of Mr. Molony, I directed my man to place the six firkins in different parts of the market. He did so, and, notwithstanding, Mr. Molony marked them all fourth quality.

91. Captain Fenton.

Captain *Fenton* examined.

I wish to make a statement with respect to the fair of Dromore West, which is held upon my property, but I am not prepared to do so at present, but will transmit it to the Commissioners.

[*The following was forwarded*]:—

John Fenton, of Dromore House, in the County of Sligo, esquire.

I am the proprietor of the fair of Dromore West, in the county of Sligo, and hold by lease of lives, renewable for ever, under the late Robert Brown, of Fortland, and his representatives, the lands of Dromore, with the fees, poundage, customs and duties imposed, or which shall be legally imposed, at the pound, and at all the fairs which shall be hereafter held on the lands of Dromore; the said lease being dated the ninth of October, 1766.

Since October, 1766, my grandfather, father, and myself, have enjoyed the uninterrupted possession and advantages of all the fairs and property. I cannot say how long before 1766 the said Robert Brown enjoyed this property; his representative, Robert Jones, of Fortland, being absent in England, and the estate in the Incumbered Estates Court, I cannot now have access to his original title.

On my possession, in 1826, I found the fairs of the county generally held on the public roads, which I considered irregular, and that the custom-money paid was too high; I reduced the custom one-fourth, and appropriated two and a-half acres of ground to a fair-green, and enclosed it with a wall, except a portion to admit cattle; the green being always since considered most convenient, and one of the best fairs in the barony, being a post-town, central between Ballina and Sligo. Some of the fairs were held on variable days, depending on feast-days, or clashed with other fairs. I fixed the days, so as not to change, and allow them to be reported correctly in the almanac.

Previous to the fourteenth of July last, the several Roman Catholic priests in the barony of Tireragh, in their chapels, directed the people to meet them and Mr. Swift, the proposed candidate for Sligo, on that day, on my ground of Dromore; supposing it was to be a fair-day, in mistake for the fourteenth of August. This meeting I prevented on my ground, for two reasons,—first, my permission was not asked, and if it had been a fair-day, the stronger reason that, in the then excited and disturbed state of the district, I would be culpable, as a magistrate if I allowed a political meeting, assuming religious violence, to disturb the fair, which must lead opposing parties into dangerous collision.

On the fourteenth July, a mob of above 1,000, with six or seven priests, with Mr. Swift and his chaplain, took possession of a hill opposite my house (being prevented on my ground). After sufficient mob-exciting abuse of the other candidates, I was denounced particularly by Priest M'Dermott, who declared that a fair should never be held on my land of Dromore.

Some time after, a distress for rent of about £19 value, was made by Captain King, and an auction directed for the tenth of August, at the pound of Dromore. At the different

SLIGO, 13th October, 1852.

91. Captain Fenton.

chapels, the priests directed the people to attend the sale with the priests, and they would see who would bid for the cattle; and on the tenth, as so directed, five priests, named Lavelle, M'Dermott, Conway, Flanelly, and White, with above 400 men, collected from a distance of fifteen miles each way, or a direct line of thirty miles, to prevent a sale by intimidation; I had police to prevent riot and assault, and the sale was, in consequence, put off to the nineteenth. This constituted my second offence; and on the day after the eleventh, at the fair of Sligo, and on the twelfth, at the fair of Ballina, bellmen were sent about proclaiming that no fair would be at Dromore on the fourteenth of August, but that the Dromore, West, fairs would be held at Cartron, about three miles from Dromore, and written notices were posted to that effect; thus putting forward bellmen, from whom no damages in action could be recovered. On the fourteenth of August they assembled as at a fair, on a piece of ground held by the brother of Priest M'Dermott, at Cartron, where a pig driver called down my fair of Dromore, and from whom, or the poor occupant of the ground, I could hope to recover no damages.

The bellmen of Ballina and Sligo acknowledged it, but will give no name, only saying, a pig driver ordered it. Thus, people are put forward to support a conspiracy from whom I could have no damages in action.

On the eleventh of October instant, the bellmen again proclaimed, in the fair of Ardnaree, at Ballina, that the fair of Dromore would be held at Cartron, and notices posted to that effect. On the fifteenth, the people, with the priest, held a fair at Cartron, where no magistrate or police attended.

I submit to the consideration of the Commissioners, that this conspiracy against property, the removal of old fairs, and attempt to establish new fairs without authority, by a priesthood goading the people on religious political grounds, deserves the serious consideration of Government.

The Petty Sessions Act directs magistrates summarily to dispose of disputes at fairs and markets, which, I consider, could not be done at a so-called fair, unauthorized. By this conspiracy to remove or injure the established fair of Dromore, numbers of respectable residents and possessors of the most valuable stock were disappointed, and the peaceable assemblage of all parties prevented, because in the eyes of the Roman Catholic priesthood I, as a magistrate, preserve peace and order.

It must be understood, that while all that is directed in the chapels is known, evidence cannot be obtained, even from those who will admit they were present.

Tolls now charged.

	s.	d.		s.	d.
Milk cows,	0	6	Horses,	1	0
Beef cattle,	0	6	Young pigs, in creels,	0	4
Two years old,	0	4	Tents for sale of liquor,	2	0
One year old,	0	3	Standings,	1	0
Sheep, with a lamb,	0	3	Bread stalls,	0	6
Single sheep,	0	2	Flannels and frieze, per piece,	0	4
Lambs,	0	1	Druggets, do.,	0	3
Swine, each,	0	3			

J. Fenton.

92. Mr. James Hare.

Mr. *James Hare* examined.

1221. What is your occupation?—I am the person employed as cooper in the butter market in this town.

1222. Can you give any information respecting the butter market?—Yes, the practice is, when the firkin comes into the market, to open it for the purpose of allowing the inspector to inspect it; after he has inspected it, it is closed up again and branded. The charge for cooperage is 1*d.* per firkin.

1223. Is every firkin inspected charged for by you?—It is; and it is very necessary that it should be carefully closed up again, as I have known cases in which the firkins opened on their passage to England, by reason of not being properly fastened, and the butter was injured. After the firkin is closed, the buyers generally have their stores in the market, and ship them direct from thence to England.

93. Mr. Charles Hill.

Mr. *Charles Hill* examined.

1224. What is your occupation?—I am a butcher, in this town, and I deal in the pork trade.

1225. What deductions are made in weighing pork?—At the merchants' stores ten pounds are deducted from the gross weight of every pig, no matter what may be its weight, and 2*d.* is charged for porterage.

1226. Have you known of many frauds having been practised at the merchants' stores in weighing pigs?—Yes, upon one occasion I summoned a person for deducting four pounds in addition to the ten pounds he was entitled to charge. He placed a weight of fourteen pounds in the scales, and stated it was a ten pound weight; I afterwards discovered that it weighed fourteen pounds, and summoned him, and he was obliged to pay me for four pounds more of pork on every pig.

SLIGO,
13th October, 1852.

94.

Charles Sedley, esq.

Charles Sedley, esq., examined.

1227. Can you state any thing in addition to what we have already heard?—A meat market is very much required in this town, as the meat is exposed in the streets, and such is very injurious to the general health of this town. The sale of bread, too, requires some improvement, as bread is never sold in this town by weight, as required by law.

BALLYMOTE,
14th October, 1852.

95.

George M'Ilroy.

Ballymote, October 14, 1852.

George M'Ilroy examined.

1228. Where do you reside?—In the town of Ballymote.

1229. What is your occupation?—I am the weighmaster of the market in this town; I was appointed weighmaster by Sir Robert Gore Booth.

1230. Under what patent is the market held?—I cannot tell; it is a very old one.

1231. When was the market established?—I do not know; I have heard a very long time ago.

1232. How often is the market held, and what are the market-days?—Once a week, upon every Thursday.

1233. Who is the present owner of the market?—Sir Robert Gore Booth.

1234. Does Sir Robert Gore Booth collect his own tolls, or has he leased them?—I collect all the tolls at the fairs, and account for them with the agent of Sir Robert Gore Booth.

1235. How are the tolls applied?—A portion of them are applied in paying me my salary, and the rest are expended in the improvement of the market-house and place.

1236. Are any tolls or customs paid in the market?—No.

1237. Is there an enclosed market-place?—There is, and a market-house.

1238. Is the sale of all agricultural produce confined to the market-place?—There is scarcely any thing sold in the market-place, except butter and potatoes.

1239. Is any corn and meal sold in the market?—Scarcely any; it all goes to Sligo, or to the merchants' stores in this town or neighbourhood to be sold.

1240. Have a sufficient number of beams, weights, and scales been provided?—Yes; I have a fair supply of them; there is no weigh-bridge.

1241. Is all agricultural produce sold in the market weighed in the market scales?—The butter and potatoes are generally weighed, but, as I before said, very little grain comes into the market.

1242. Have you been sworn under 4 Anne, c. 14?—I have not.

1243. What are your charges for weighing in this market?—One penny per draught on all agricultural produce, except butter, on which I charge $\frac{1}{2}d.$ for any draught under five pounds, and $1\frac{1}{2}d.$ for every draught exceeding that weight.

1244. Explain the system of weighing in your market.—We take standing beam in all draughts, and deduct seven pounds from the gross weight of the corn for beamage, and also, the actual weight of the sack.

1245. Is there any other deduction in weighing made by you?—There is not; I make that deduction irrespective of the weight of the corn.

1246. What is the smallest weight used by you in weighing corn?—Seven pounds.

1247. Suppose a sack to weigh twenty stone six pounds, for what weight would the farmer be paid?—For nineteen and a-half stone, less the actual weight of the sack.

1248. Must it be seven pounds or nothing?—It must, except in a very small draught.

1249. Do you keep any book in which you enter the quantity sold in the market, average price, and amount, with the names of the buyer and seller?—I do not, in weighing corn, but in weighing butter I generally keep a book.

1250. Does the buyer or seller get a docket of the sales?—He does, in selling and weighing butter.

1251. If Government required you to furnish a statistical account of all the sales made in your market, the average price, and amount, could you furnish them?—I could not, except in the case of butter, and in it not with any very great degree of accuracy.

1252. Do you, in this town, calculate the weight by the barrel or by the stone?—By the stone.

1253. Is a stone weight always calculated at fourteen pounds, avoirdupois?—It is, except in the case of wool, which is calculated at sixteen pounds.

1254. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.

1255. Is there an inspector of butter?—No.

1256. Is all the butter bought in the market weighed in the market scales?—It is.

1257. What are the deductions made in weighing butter in the market scales?—Six pounds for every hundred-weight; I deduct one pound from every stone up to six stone, but if the weight of the firkin exceed six stone, I charge nothing more for it than six pounds.

1258. What is the usual quantity of butter sold in your market in a week?—From sixty to one hundred firkins; the largest market I have ever seen was 130 firkins of butter.

1259. Is any toll paid in the fairs?—Yes.

1260. Can you give a list of the tolls paid in the fairs held in this town.—[*The witness handed in the following list*]:—

BALLYMOTE,
14th October, 1852.

95.
George M'Ilroy.

Ballymote, County of Sligo.

For Sir Robert G. Booth, Bart, Patentee.

	s.	d.		s.	d.
Each milch cow or bull,	0	6	Huckster's stand,	0	4
Dry or fat cow, bullock, or heifer,	0	4	Leather cutter's do.,	0	4
One year old do.,	0	3	Shoemaker's stand,	0	4
Horse, colt, or filly,	0	6	Hatter's do.,	0	6
Foal,	0	3	Hardware,	0	4
Ass or mule,	0	3	Nailer's do.,	0	4
Sheep,	0	2	Web of frieze or flannel,	0	3
Lamb,	0	1	Drugget do.,	0	1½
Pig,	0	3	Woodenware stand,	0	6
Load of young pigs,	0	6	Earthenware do.,	0	4
Tent or booth,	1	6	Tinware do.,	0	2
Pedlar's stand, raised,	1	0	Fish or fruit do.,	0	4
Do. do., low,	0	6	Stockings do.,	0	2
Meat stand,	0	6	Meal,	0	1
Bread do.,	0	4	Hide,	0	1
Load of eggs,	0	6	Skin,	0	1

The last three items were charged at a higher toll, and so appear on the toll-board, but they are now reduced to the amount above stated, by George M'Ilroy.

1261. How many fairs are held in this town in a year?—Seven.

1262. Are tolls charged in going in or out of a fair?—They are charged on going out of the fair, if cattle are either bought or sold.

1263. How do you know whether the cattle are liable to pay toll or not?—The men at the gate ask the man in charge of the cattle whether they are sold or not; if he says they are, he is obliged to pay toll; if he says they are not, they go through the form of an oath, to ascertain whether his statement is correct.

1264. Do you not think that administering an oath under such circumstances is calculated to make a person think lightly of the solemnity of an oath?—It is.

1265. Do you suppose that such a practice leads to much perjury?—I am perfectly satisfied that it does.

1266. Is there an enclosed fair-green?—There is.

1267. Is it sufficient for the purposes of the fair?—It is.

1268. Do you not think that all persons would be better satisfied if a small toll was imposed upon the cattle going in?—The man who did not sell might be dissatisfied; a great number of cattle are sold outside the fair-green, and a great number of the cattle which go in are unsold, so that if all the cattle were obliged to go into the fair-green and to pay, a very small charge upon each would be sufficient.

1269. Do you think people resort to the fair who would be unable to pay at their entrance into the fair?—I think there are some; but if such an arrangement were made, the people would be able to borrow, or otherwise procure sufficient means to free them into the fair.

1270. What is the gross annual amount of the tolls received in the fairs in a year?—£40 or £50 a-year, for all of which I account to Sir Robert G. Booth.

1271. What is the amount of the charges for weighing in a year?—Last year and the year before it was about £22 a-year, for which I accounted to Sir R. G. Booth, who expended the balance, after paying my salary, in the improvement of the market.

1272. What would be your opinion of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be sold and weighed?—I think it would be an advantage to all persons.

1273. Have you ever heard complaints of frauds in consequence of the farmer weighing in the merchants' stores?—I have not.

1274. Do they make the same deductions in weighing at the merchants' stores as they do in the market?—They do.

1275. What is the smallest weight used in weighing at the merchants' stores?—Seven pounds.

1276. Do they make any charge at the merchants' stores for porterage?—They charge 1*d.* upon every sack for what they call starters; in this town we have but one merchant who purchases corn.

1277. Do you not think that a general market, such as I have described, might create a trade in corn?—I do; the butter market has only been established for the last six years, and a great quantity of butter is now brought into it.

1278. Is there an inspector of weights and measures?—There is.

1279. Have many frauds, in the use of improper weights and measures, been detected by him?—There have.

1280. Would it not be better for all parties if agricultural produce were weighed to the pound, without any deduction whatever, and the empty sack afterwards weighed and deducted from the gross weight of the corn?—I think it would be better if corn was weighed like any thing else.

96.
Mr. James Irwin.

Mr. *James Irwin* examined.

1281. What is your occupation?—I am a farmer, residing near this town.

1282. Do you sell in this town?—I do; but I very often send my butter for sale, to Sligo.

BALLYMOTE, 14*th October*, 1852.

96.

Mr. James Irwin.

1283. Can you suggest any thing in addition to what has already been stated?—Great frauds prevail in the butter market. It is frequently the practice for buyers, after making a contract for butter, to reject it, after keeping it for some time, and either send it back, or cut it down, upon the pretence that it is of an inferior quality. The buyers, also, are frequently in the habit of making second quality, first quality. I should suggest, that in all cases, it would be advantageous, if the purchaser should always be bound by the inspector's decision, and such would avoid a great deal of imposition.

1284. Would you be in favour of abolishing all deductions and charges whatever, of weighing butter to the pound, and allowing the price to be regulated accordingly?—I would.

1285. Would you be in favour of all cattle going to a fair paying a small toll?—No; I think the present system is better, as it often enables parties to trace their own cattle, and recover them, by their being stopped at the toll-gate.

1286. Do you think that tolls ought to be charged where no accommodation is afforded by the proprietor of the fair, in giving an enclosed fair-green?—I think not.

1287. Do you think it would be advisable to define, by Act of Parliament, what are reasonable tolls?—I think it would.

97.

W. Baker, esq.

W. Baker, esq., examined.

1288. What is your occupation?—I am a farmer, residing near this town.

1289. What would be your opinion of charging all cattle, entering a fair, with a small toll?—I should be decidedly in favour of it; I think it would be of the utmost importance to put an end to the awful perjury and rioting which goes on in consequence of the present system, which is likewise calculated to make an oath be lightly regarded. I also think that it should be made compulsory on all parties selling or buying to have the butter weighed and inspected in the public market.

98.

Robert Smith, esq.

Robert Smith, esq., examined.

1290. What is your occupation?—I am a farmer, residing near this town.

1291. Do you sell butter in this market?—I do; I used to send my butter to Sligo market, but in consequence of the inability or fraud of the inspector of butter, in that town, I now send all my butter to this market, where I am more fairly dealt with. I should suggest that there ought to be some person to refer to, in case of a difference with the inspector of butter, in every large town. It is also a hardship, that if I send my butter into the market, at Sligo, without the tops of the firkins, that I should be obliged to pay for the cooperage. With respect to fairs, I may observe, that great inconvenience results from charging the days on which fairs are held in this neighbourhood; something ought to be done to check this practice. It is suggested by the farmers present, that the holding of a few additional fairs in this town would be of great advantage to all parties residing in this locality, and they request the Commissioners will bring the matter under the notice of the Government.

BOYLE, 15*th October*, 1852.

99.

Mr. John Shera.

BOYLE, OCTOBER 15, 1852.

Mr. *John Shera* examined.

1292. What is your occupation?—I am the weighmaster in this market.

1293. Under what patent is the market held?—I do not know; I have heard, under an old patent of King James.

1294. When was the market established?—I do not know.

1295. How often is the market held, and what are the market-days?—Twice a week, on Wednesdays and Saturdays.

1296. Who is the present owner of the market?—Lord Lorton.

1297. Are tolls paid in the market?—No, except on meat and other articles of that nature—[*Witness handed in the following list of tolls and charges for weighing*]:—

SCHEDULE of the BOYLE CRANE and SHAMBLES.

CHARGES for SLAUGHTERING.	s.	d.
Carcase of Beef,	1	6
„ Bullockeen,	1	0
„ Mutton,	0	6
„ Veal,	0	6
„ Pig,	0	5
„ Kid,	0	1
„ Lamb,	0	3
„ Slink,	0	1
STORAGE per week.		
Salt meat standings,	0	5
Fish,	0	2
Oatmeal, per cwt.	0	2

CHARGES for WEIGHING.	s.	d.
Oats, per sack,	0	2
Meal, per cwt.	0	1
Butter, per firkin,	0	2
„ per crock,	0	1
Wool, per pack,	1	0
„ per half pack,	0	6
„ per sack,	0	4
Flax, per bunch,	0	1
Hides, salt, per cwt.	0	1
„ raw, each,	0	1
Salt, per cwt.	0	1
Potatoes, per cwt.	0	0½

JOHN SHERA, *Weighmaster.*

1298. Are tolls paid by the buyer or seller?—By the buyer, in every instance, on cattle.

1299. Are any tolls levied for corn or potatoes?—No.

1300. Is there an enclosed market-place?—Yes.

1301. Is the sale of agricultural produce confined to the market-place?—It is not; almost all corn is sold at the merchants' stores.

1302. Have a sufficient number of beams, weights, and scales, been provided in the market-place?—Yes, but there is no weigh-bridge.

1303. Are you sworn under the 4th Anne, c. 14?—I am.

1304. Is all the agricultural produce sold in the market weighed in the market scales?—It is; but very little corn is ever either sold or weighed in the market.

1305. What are the charges made for weighing?—I will give a list of them: I charge 2*d.* upon every draught of oats, no matter what may be its weight; ½*d.* for potatoes, for each hundred-weight; for wool, one shilling for each pack; for butter, 2*d.* for each firkin; for meal, 1*d.* for each hundred-weight.

1306. In weighing at the market scales, what deductions are made from the gross weight of the corn?—I deduct from seven pounds to fourteen pounds, according to the appearance of the sack, from each draught.

1307. What is the smallest weight used by you in weighing?—Seven pounds.

1308. Do you weigh standing beam?—No; down weight.

1309. What weight would it take to bring the scale from standing beam to down weight?—About two pounds.

1310. Your smallest weight being seven pounds, suppose a sack of oats to weigh twenty stone seven pounds, at standing beam, would not the farmer lose seven pounds?—He would.

1311. The weight must be seven pounds down, or nothing?—It must.

1312. Is any other deduction, beside the allowance for sack, made by you in weighing corn?—No.

1313. Are the same deductions made by you in weighing potatoes?—Yes.

1314. Do you keep a market book in which you enter the quantity sold, average price, and amount, with the names of the buyer and the seller?—I do not keep any book in which I enter the produce weighed by me.

1315. Do you give a docket of the weight to the buyer or seller?—Not unless I am required to do so.

1316. Suppose Government were to require you to furnish them with a statistical account of the quantity sold in the market, the average price, and amount, could you do so?—I could not.

1317. Is corn sold by the barrel?—It is.

1318. What is the weight of a barrel of wheat?—Twenty stone.

1319. What of oats?—Fourteen stone.

1320. What of barley?—Sixteen stone.

1321. What of potatoes?—Ten hundred-weight.

1322. Is a stone weight always calculated at fourteen pounds, avoirdupois?—It is, except in the case of wool, which is calculated at sixteen pounds to the stone, and potatoes which are calculated, from the month of July to Michaelmas Day, at sixteen pounds to the stone.

1323. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.

1324. Is there an inspector of butter in this market?—There is not.

1325. Is butter sold by weight or by lump?—It is always sold by weight.

1326. What are your charges for weighing butter?—Two pence for each firkin.

1327. What deductions do you make in weighing butter?—I weigh standing beam, and I deduct five pounds for the firkin; that is, two pounds for beamage, and three pounds for soakage.

1328. Do you ever deduct more than five pounds from the gross weight of the firkin?—I do.

1329. When the weight of the firkin exceeds five stone, what do you deduct?—I deduct one pound for every additional stone.

1330. What is the usual weight of the firkin?—Seventy pounds.

1331. Is all the butter brought into the town sold in the market?—It is not; a great deal of butter is sold at the merchants' stores, and at the shops.

1332. Have you heard of any complaints being made of the system of weighing adopted in the merchants' stores?—I do not think I have.

1333. Is the same system of weighing adopted in the merchants' stores as in the market scales?—No; Mr. Mulhall, who is the largest buyer in this town, weighs the corn, and afterwards tares the sacks, and deducts their exact weight from the gross weight of the corn. He takes down weight, and deducts nothing for beamage.

1334. What is the smallest weight used in the merchants' stores?—Seven pounds.

1335. The weight must be seven pounds or nothing?—It must.

1336. Is any charge for porterage made in the merchants' stores?—I believe in most of the stores ½*d.* for each sack is charged for porterage.

1337. What is the principal produce of this market?—Oats.

1338. What is the greatest quantity of oats ever sold in one day in this market?—I cannot say. I have known 300 or 400 barrels purchased in a day by Mr. Mulhall.

1339. Is there an inspector of weights and measures?—Not at present. The Grand Jury refused to present for it, and I believe the duty is to be in future discharged by the Constabulary, who have not, however, as yet, got possession of the standard weights and measures.

1340. What are the gross annual receipts of the markets?—About £70.

1341. By whom is the market-house and premises kept in repair?—By Lord Lorton.

BOYLE, 15th October, 1852.

99.

Mr. John Shera.

1342. Would you be in favour of a general market, in which all the agricultural produce brought into the town should be weighed and sold, with sufficient accommodation, an efficient staff, and under proper supervision?—I would.

1343. Would you be in favour of having all the corn weighed to one pound at standing beam, without any deduction, and having the sacks afterwards tared, and their exact weight deducted from the gross weight?—I would; and I think such a system would give general satisfaction.

1344. Would the present market-place afford sufficient accommodation for the purpose?—I think it would; and Lord Lorton would provide additional accommodation, if required.

1345. Would not a very small charge for weighing be sufficient, if that system was adopted?—It would.

1346. What quantity of butter is sold in your market in a week?—I think from 500 to 600 firkins.

1347. Is it all weighed in your market?—It is. It is generally bought by the firkin, and we have no difference of qualities in this town.

100.

F. Robinson, esq.

Frederick Robinson, esq., examined.

1348. What is your occupation?—I am the lessee of the tolls of the fairs held in this town.

1349. How many fairs are held in this town in a year?—Nine fairs are held in the year. [*The witness handed in the following list of the tolls and customs charged at the fairs*]:—

List of Tolls and Customs charged on Fairs held at Boyle.

	s.	d.
Milch cow and calf, sold,	0	6½
Milch or spring cow, without a calf, „	0	6
Stripper or dry cow, „	0	5
Bull, bullock, or heifer, „	0	4
Runner or yearling calf, „	0	2
Calf, all kinds above one year old, „	0	3
Horse beast, every description, „	0	4
Sheep of all kinds, „	0	1
Ewe and lamb, „	0	1½
Pig, „	0	2
Sucking pig coming into fair, 1*d.*, „	0	1
Fish, cart-load,	0	6
„ horse-load,	0	3
„ smaller quantity,	0	2
Fruit, of any kind, and vegetables, per cart-load,	0	4
„ „ horse-load,	0	3
Salt, per standing,	0	4
Corn, per sack,	0	3

	s.	d.
Standings, covered or large reared,	1	0
„ middle size,	0	6
„ smaller size,	0	4
Broguemakers' standings,	1	0
Leather cutters' do.,	0	2
Wool, per pack,	1	0
„ half packs,	0	6
„ smaller quantities,	0	4
Each tent or booth,	1	0
Wooden or earthen-ware, per cart-load,	0	6
„ „ horse-load,	0	3
Frieze or flannel, per piece,	0	4
Butter, per cask or crock,	0	2
„ in smaller quantities,	0	1
Tin-ware, generally, for each parcel,	0	2
Feathers, each parcel,	0	2
Hides,	0	1
Smaller skins,	0	0½

Frederick Robertson,
Collector.

1350. Are cattle charged toll, whether they are sold or not in the fairs?—They are only charged if they are sold upon going out of the fairs.

1351. How do you ascertain whether they are sold or not?—When they are going out of the fairs, the person in charge of the cattle is asked whether they are sold or not; if he says they are, he is obliged to pay the toll; if he says they are not, he is let out of the fair without paying any thing.

1352. Is the practice of administering an oath ever adopted, to ascertain whether the cattle are sold or not?—I am not aware of an oath being administered; I should not again employ the man who did so.

1353. Would you be in favour of all cattle going into a fair being charged with a small toll, instead of with toll going out of the fair, provided the owner of the fair afforded sufficient accommodation?—I think very great difficulty would be experienced in carrying out that system, as the people never would consent to paying for the cattle unsold in the fair.

1354. What proportion of cattle going into the fair pay toll when going out?—Not one-half.

1355. What would be your opinion of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into this town should be sold and weighed?—I think it would answer very well, and be satisfactory to the buyer as well as to the seller. There is a place laid out for a general market in this town at present.

1356. Would you be in favour of weighing all agricultural produce to the pound, giving standing beam, and afterwards deducting the tare of the sack from the gross weight of the corn, allowing the merchant to regulate the price he will give for the corn accordingly?—I think such an arrangement would be a great advantage to the farmer.

1357. Would you be in favour of an assimilation of all the weights and measures through the country?—I would; the difference in the barrel frequently gives the buyer an advantage, and causes confusion.

1358. Have you any further information to give?—No.

John Mulhall, esq., examined. 101. John Mulhall, esq.

1359. What is your occupation?—I am a corn merchant, residing near this town.

1360. Do you concur in the evidence given by Mr. Robinson?—I do.

1361. Explain the system of weighing adopted in your stores?—When the sack does not exceed twenty-eight stone, I deduct seven pounds for the sack; I also take the cast of the beam, which cannot exceed one pound.

1362. Do you mean to convey that the total deduction does not exceed eight pounds?—I do.

1363. If you find the oats in the sack not corresponding with the top, do you cut the seller?—I do not; but frequently the farmer lines his sacks with good oats, and upon the inside the quality is very inferior.

1364. What is the smallest weight you use?—Seven pounds; the weight of the corn is either seven pounds or nothing.

1365. What would be your opinion of a general market, such as I have described?—If the weighmaster could be depended upon, I think it would be a very fair arrangement, and very desirable.

1366. Do you buy largely in this market?—I have bought from 300 to 400 barrels of corn in a day.

1367. Can you suggest any thing in addition to what you have already stated?—I think it would be very advantageous, in all cases, to have a regular charge for weighing established.

1368. Under the present system of weighing in private stores, would not the dishonest trader have an advantage over the honest dealer?—I think he would.

1369. What would be your opinion of weighing all corn in a public market to the pound, and afterwards taring the sack, and deducting its exact weight from the gross weight of the corn?—I think it would be more convenient to all parties.

1370. What would be your opinion of an assimilation of weights and measures through the country?—I think such would be a very great convenience.

1371. Can you suggest any thing in addition to what you have already stated?—I think it would be desirable to have the butter market always commence at one or two o'clock. It does not commence at present until three o'clock, and the sellers have not time to receive payment for their butter.

1372. Have you known of buyers making excuses for not taking the butter, upon the ground that it was not equal to the top of the firkin?—I have; but such is a very unfair mode of dealing; a man ought to be satisfied with his purchase when he makes it.

Patrick Judge, esq., examined. 102. Patrick Judge, esq.

1373. What is your occupation?—I am a general merchant in this town.

1374. Do you concur in the statements which have been made, respecting the practice of selling corn and butter in this town?—Complaints are frequently made of the system of buying butter, as the buyer keeps the seller to a very late hour in the evening, without paying him for his butter, as they do not receive remittances to enable them to pay for the butter until the arrival of the evening coach from Sligo. Sometimes the buyers are obliged to remain all night in the town.

1375. Do you not think that a merchant might make arrangements to have his money in sufficient time, without occasioning this inconvenience to the seller?—I think he might; but there is a great struggle to get butter in the early part of the day, which induces the buyers to buy at that time, and defer the payment until the evening.

1376. Do you deal in pork?—I do.

1377. What are the deductions made in weighing pork?—Four pounds were deducted from the gross weight of every pig, until last year, when the deduction was increased to eight pounds, in order to be equal to the deduction in the Sligo market.

1378. The deduction in the Sligo market on each pig is ten pounds, not eight pounds?—Then I shall increase the deduction from eight pounds in future to ten pounds.

1379. What is the smallest pig you weigh?—One hundred-weight three quarters.

1380. Would it not be fairer to abolish all deductions, regulating the price accordingly?—You will find very great difficulty in carrying out that system.

1381. Is any charge made by you for porterage?—No.

1382. Are the deductions made by you in weighing corn the same as are made by Mr. Mulhall?—Yes; it is very fair to charge for porterage, as the farmer seldom sends his own servants to unload the corn; indeed it would not be worth his while.

1383. What deductions are made by you in weighing wool?—One pound to every sixteen pounds, and four pounds for beamage from the gross weight, which is taken at standing beam, and eight pounds tret out of every twenty stone.

1384. What would be your opinion of a general market such as has been described?—It would be very desirable.

1385. What would be your opinion of an assimilation of weights and measures through this country?—It also would be very desirable. I may observe, that an attempt was made to assimilate the weight of wool and feathers to the weight of corn and other produce in this town, but it was given up.

1386. Are many frauds practised by the farmers in bringing their produce into this market?—I do not think there are; the corn is brought very fairly into the market in this town.

BOYLE, 15th *October*, 1852.

102. Patrick Judge, esq.

1387. How is bread sold in this town?—I believe I am the only person in this town who sells bread by weight.

1388. How is oatmeal weighed in this town?—The sack is always tared, and no other deduction is made.

103. Constable Duncan.

Constable *Duncan* examined.

1389. Have you inspected the weights and measures in this town?—We have not, because we have not as yet got possession of the standard weights and measures.

1390. Have many cases of fraud come under your notice of parties using light weights and improper measures?—No; I may observe, however, that a system of forestalling prevails in the potato market, by which one person gets possession of all the potatoes in the market at a small price, and is enabled to raise the price upon the buyers of them.

CASTLEREA, 16th *October*, 1852.

Castlerea, October 16, 1852.

104. Patrick Sweeny.

Patrick Sweeny examined.

1391. What is your occupation?—I am weighmaster in the market in this town.

1392. Under what patent is the market held?—I do not know; I believe there is an old patent.

1393. How often is the market held, and what are the market-days?—The market is usually held twice a week, upon every Wednesday and Saturday, but the patent only authorizes it to be held once a week, upon Saturday.

1394. What is the principal produce sold in the market?—Corn, and a little butter.

1395. Who is the present owner of the market?—Mr. Wills Sandford.

1396. Are tolls paid in the market?—They are not.

1397. Is there an enclosed market-place?—It is not enclosed, there is no market-house.

1398. Is the sale of agricultural produce confined to the market-place?—It is not.

1399. Have a sufficient number of beams, weights, and scales been provided in the market?—Yes, but there is no weigh-bridge.

1400. Are you sworn under the 4th Anne, c. 14?—I think I took some oath upon my appointment; I have been the weighmaster of this town for thirty years.

1401. Is all the agricultural produce sold in the town weighed in the market scales?—It is not; a great proportion of it is weighed at the merchants' stores.

1402. Is any charge made by you for weighing?—I charge 2*d.* for every sack of corn weighed in the market scales.

1403. Is any charge made by you for weighing potatoes?—No, I weigh potatoes free.

1404. What are the charges made by you for weighing oatmeal?—When the sack exceeds two hundred-weight, I charge 2*d.* per hundred-weight, and for all other merchandize 1*d.* per draught.

1405. What is the charge for a carcase of beef?—I charge 6*d.*

1406. Do you weigh standing beam or down weight?—No, I weigh down weight at the market scales.

1407. What is the smallest weight used by you in weighing?—Seven pounds; no less a weight is used in the public scales.

1408. How many pounds would it take to bring the scale from standing beam to down weight?—About seven pounds in a heavy draught.

1409. What deductions are made in weighing in this market, under the name of beamage, &c.?—One stone for each sack, whatever may be its weight.

1410. Do you keep a book in which you enter the quantity sold, average price and amount, with the names of the buyer and seller?—I do not keep any book.

1411. Do you give a docket to the buyer or seller of those particulars?—I do.

1412. Do you keep any copy of that docket?—I do not

1413. Could you furnish a duplicate of that docket in case it was lost?—I could not.

1414. If Government required you to furnish them with a statistical account of the quantity sold, average price and amount, could you do so?—I could not, except by guess work.

1415. Do you sell in this market by the barrel or by the stone?—By the barrel.

1416. Of what does a barrel of wheat consist?—Of twenty stone.

1417. Of what, a barrel of oats?—Fourteen stone.

1418. Of what, a barrel of barley?—Sixteen stone.

1419. Of what, peas, beans, and other produce?—Twenty stone.

1420. Of what, a barrel of potatoes?—We have no barrel, we always sell by the hundred-weight.

1421. Is a stone always calculated at fourteen pounds, avoirdupois?—It is; except in the case of wool, which is calculated at sixteen pounds.

1422. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.

1423. Is there an inspector of butter in this town?—There is not.

1424. Is butter sold by weight or by lump?—By weight.

1425. What is the charge in the market for weighing butter?—Two pence per draught.

1426. What deductions are made in weighing butter?—One pound to every quarter of a hundred-weight, or four pounds from every hundred-weight.

1427. Have you any tolls in the fairs?—We have.

CASTLEREA, 16*th October*, 1852.

104.

Patrick Sweeny.

1428. Have you a toll-board in the fairs?—There was a toll-board, but it was lately taken down.

1429. Have you an enclosed fair-green?—We have a fair-green, but it is not enclosed.

1430. Have you a toll-board at the custom gap?—I have printed lists of the tolls; I will send you a copy of it.

[*The following list was forwarded*]:—

Castlerea, October 16, 1852.

To the Commissioners of Fairs and Markets, Dublin Castle.

Gentlemen,

At your request, I forward a printed copy of the Tolls and Customs of the Fairs of Castlerea; also, the note of charge for weighing at the markets, as herein specified.

	s.	*d.*
For every bag of oats weighed,	0	2
For every bag of meal weighed, when under or at 2 cwt.,	0	2
When over 2, per cwt.,	0	1
Butter, per crock, weighed,	0	2
Beef, per carcase,	0	6
Mutton, do.,	0	1
Pigs, weighed,	0	4

All other heavy draughts, 1*d.* per cwt., except potatoes, which are weighed free of any charge.

Your obedient Servant,

Patrick Sweeny.

A Return of the Tolls and Customs payable at the Fairs of Castlerea; Lord Mountsandford, proprietor; P. Sweeny, collector.

	s.	*d.*
Dry cows, each,	0	4
Strippers, do.,	0	5
Milch cows, do.,	0	6
Heifers and bullocks, do.,	0	4
Calves and pigs, do.,	0	3
Tents, do.,	1	0
Standings, do.,	1	0
Flat do. do.,	0	6
Timber, per cart-load,	1	0
Earthenware, do.,	1	0
Apples, do.,	1	0
Horse-loads, each,	0	6
Friezes and flannels, per load,	1	0
Friezes and flannels, per piece,	0	2
Fruit, per cart,	1	0
Horse-loads, each,	0	6
Hatters' standings,	1	0
Broguemakers' do.,	0	6
Leather cutters' do.,	0	4
Sucking pigs, each,	0	1
Sheep, do.,	0	1
Ewes with lambs, do.,	0	1½
Horses, do.,	0	4
Hawkers', do.,	0	2
Butchers' boiling meat,	0	2
Wool, per bag,	0	6

1431. Are tolls paid in the fairs when the cattle are going in or out?—They are always paid when the cattle are going out.

1432. Are tolls paid upon cattle which are not sold?—No.

1433. How do you ascertain whether the cattle are sold or not, when they are going out of the fair?—If I have any reason to doubt the correctness of their statement they go over and touch the toll-board, which is hung up at the toll-gap.

1434. Will you not take his word without his touching the toll-board?—I will not; he must either touch the toll-board or pay the toll.

1435. Does not the person suppose, when he touches the toll-board, that he is taking an oath?—He does.

1436. Would it not be better to compel the proprietor of the fair-green to provide sufficient accommodation, and to oblige every person, when bringing their cattle upon the fair-green, to pay a small toll, whether the cattle are sold or not?—I think it would; and it would save a great deal of perjury and rioting.

1437. What was the largest quantity of corn you ever knew to be sold in the town in one day?—About 1,000 barrels.

1438. Is much corn sold in the merchants' stores in this neighbourhood?—I cannot say.

1439. Have you ever heard any complaints of frauds being practised at merchants' stores?—I have; in one case, a butter merchant refused to take any butter which was not weighed in his own stores; some of the butter weighed by him was afterwards weighed in the public scales, and found to weigh more than he had returned it; in consequence, he was convicted before the magistrates, and the butter taken out of his possession. Many cases occur in which the farmer is not dealt fairly with.

1440. Have you ever weighed corn before it went to the merchants' stores to be weighed?—I have; and, in some instances, have known the merchant to return the weight as seven pounds, or one stone, less than that returned in the market scales.

1441. What would be your opinion of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be sold and weighed?—I think it would be very desirable.

1442. Is the same system of weighing adopted, and the same deductions made at the merchants' stores as in the public market?—No; in my own store I always take standing beam.

1443. Are you a dealer in corn?—I am; I am the principal buyer in the market.

CASTLEREA, 16*th October*, 1852.

104. Patrick Sweeny.

1444. Do you think it advisable to have a public weighmaster a dealer in corn?—I do not see any objection to it.

1445. Do you charge 2*d.* on every draught in weighing in your own store?—I do.

1446. Does not the farmer derive a greater benefit by selling in your store than in the public market, by reason of your taking the corn at standing beam?—He would; but I always regulate my price accordingly, and do not give him as good a price as he would get in the market. I only weigh in my own stores when the sellers wish me to do so.

1447. Would it not be more satisfactory to the farmer, in all cases, to weigh his corn to the pound, without any deduction, and afterwards tare the sack and deduct its exact weight from the gross weight of the corn, regulating the price accordingly?—It would be more regular.

1448. Is there an inspector of weights and measures in this district?—There is.

1449. How often does he visit the market?—Three or four times a year.

1450. Does he, upon these occasions, detect many frauds?—He does.

1451. Do you often get your weights adjusted?—I generally get them adjusted four times a year.

1452. Do you ever test your beam which requires seven pounds to bring it from standing beam to down weight?—I do.

1453. With what weights in each scale?—I put four half-hundred weights in each scale.

1454. How long is it since you put your beams, scales, and weights to rights?—About two months.

1455. Do you collect the tolls of the fairs for Mr. Wills Sandford, or for yourself?—For myself, as I rent them.

1456. Does the market-place belong to him?—It does; and also the beams, scales, and weights.

1457. Is any charge made upon cattle, or any thing but corn, in the markets?—No.

1458. Would you be in favour of an assimilation of weights and measures through the country?—I would.

1459. What is your charge for weighing wool?—One shilling for each pack. I weigh wool at standing beam, and make no deduction, except four pounds for the tare of each pack.

105. Sub-Inspector of Police.

The *Sub-Inspector of Police* examined.

1460. Are many frauds, by using improper weights, detected in this market?—No; very few have come to the knowledge of the police.

1461. Have you heard of any complaints of the system of weighing in the market?—I have not; when I purchase myself, I always buy in the market, and have had no reason to complain of the system adopted there.

ROSCOMMON, 18*th October*, 1852.

106. Chas. Blakeney, esq.

Roscommon, October 18, 1852.

Charles Blakeney, esq., examined.

1462. Where do you reside?—Near this town.

1463. What is your occupation?—I am a barrister-at-law.

1464. Under what patent is the market held?—I cannot say, but I believe the Earl of Essex claims a right to hold markets and fairs in this town, under some old patent. In 1830, the payment of market tolls was resisted, and law proceedings were taken, in which the parties resisting the payment of tolls were successful, and Lord Essex was defeated; since that time, the right to collect tolls at either markets or fairs has been abandoned.

1465. Can you state the ground upon which Lord Essex was defeated?—I believe, because the patent only gave a right to collect tolls at a market held in a particular park which Lord Essex had leased for ever for building purposes, and which could not be used as a market. Lord Essex removed the market-place to another locality; and it was decided that he had no right to exact tolls anywhere but on the ground named in the patent.

1466. When was the market established?—From time immemorial.

1467. To whom was the patent originally granted?—To the Earl of Ranelagh, whose representative Lord Essex claims to be, and consequently to be the owner of the market.

1468. Can you state whether the patent specifies the amount of the tolls to be levied, or merely gives a right to collect the usual and accustomed tolls?—I believe, merely the usual and accustomed tolls. I may add, that previous to the abandonment of the tolls, great impositions and frauds were practised, and tolls were exacted upon every article sold in the town, even upon brooms.

1469. Did Lord Essex lease the tolls, or did he collect them himself?—He let them at £80 per annum, and the lessee made a profit of £200 to £300 per annum.

1470. Is there an enclosed market-place?—No.

1471. Is there a market-house?—There is a yard and a shed attached to it in which oatmeal is sold and weighed. Lord Essex has let it to a person for £10 a-year, and he charges for weighing; but, as I said before, no tolls have been paid since 1831.

1472. Is the sale of all agricultural produce confined to the market-place?—It is not; a great quantity is sold in the public streets.

1473. Have a sufficient number of beams, weights, and scales been provided?—There is no public beam, but there are several beams and scales which are private property.

1474. Have you a public weighmaster?—No; one is much wanted.

ROSCOMMON, 18*th October*, 1852.

106.
Chas. Blakeney, esq.

1475. Where is all the agricultural produce that is sold in the town weighed?—At the merchants' stores, and in the private scales kept in the market-place.

1476. What charges are made for weighing at the scales in the market-place?—If the weight be under 112 pounds, ½*d.*, and if above that weight 1*d.* for each draught.

1477. What is the smallest weight used in weighing?—Seven pounds.

1478. What deductions are made for beamage or any other allowance?—Where the draught is under twenty-eight stone, seven pounds are deducted for the weight of the bag; when it exceeds the above weight, fourteen pounds are deducted.

1479. Is the corn or other produce weighed standing beam or down weight?—Down weight.

1480. How many fairs are held in this town during the year?—Four.

1481. Upon what days?—Fifth of December, 1st March, Whit-Monday, and 1st September.

1482. Are any tolls paid at the fairs?—No, the right to collect them was abandoned at the same time as the right to collect market tolls ceased.

1483. Would it not be just, that any person collecting tolls in a fair should provide a proper fair ground?—I think it would.

1484. If the owner of the fair provided a proper place to hold the fair in, would it not be right that he should be allowed to charge a moderate toll on all cattle going into the fair, and thereby abolish the custom of tendering an oath to persons leaving a fair with their cattle, and which is done to ascertain whether they have been sold or not?—It would be very desirable.

1485. Do you think administering oaths to persons leaving a fair with cattle tends to much perjury?—I do not. The people consider the oath binding on them.

1486. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be sold and weighed?—I think it would be of the greatest advantage. Such a market would be satisfactory to the farmer, and I do not think the traders could object to it.

Referred to in the Report, p. 23, as Q. 1457.

1487. Do you think the traders would have any objection to weighing their purchases in such a market?—They might think it more beneficial to weigh in their own scales.

1488. Would you be in favour of having all agricultural produce weighed with as small a weight as one pound, without any deduction or allowance whatever?—I think it would be of great public advantage.

1489. Would you be in favour of an assimilation of the weights and measures throughout the country?—I would. I am of opinion that it would be very desirable to sell by the stone, and hundred-weight, and not by the barrel.

1490. Is there an inspector of weights and measures?—No, and one is much required. The Grand Jury have taken advantage of the recent Act of Parliament and refused to present for the salary. In future the Constabulary are to inspect the weights and measures; but cannot commence that duty, as they have not been put in possession of the standard weights.

1491. Can you suggest any thing in addition to what you have already stated?—I think, wherever Town Commissioners exist, they should have control over the weights and measures, and be entitled to receive the tolls payable in the market, and apply them in providing proper market accommodation.

1492. Would you deprive the owner of the market of his right to receive toll?—There is no person here entitled to receive toll; the Earl of Essex has abandoned his rights, if he ever had any.

1493. Are many fairs held in this part of the country on the roads or public streets?—There are.

1494. In such cases, do you conceive the owners of the fairs give sufficient accommodation?—They do not.

George Dogherty examined.

107.
George Dogherty.

1495. What is your occupation?—I am a merchant, residing in this town.

1496. Do you buy in this market?—I buy wheat and oats.

1497. Where do you weigh the corn purchased by you?—In the private scales of the craners.

1498. Is the corn weighed at standing beam or down weight?—They give down weight; the scales must take the ground.

1499. What is the smallest weight used by the craners?—Seven pounds. It is called seven pounds or nothing.

1500. What deductions are made for beamage or the weight of the empty sack?—Seven pounds, if the gross weight of the corn is under thirty stone, and fourteen pounds, if over thirty stone.

1501. What are the charges made for weighing?—Sometimes, if the bag is very small, a halfpenny a draught is charged; but the usual charge is 1*d.*

1502. Have you heard any complaints made as to the system of weighing in the private cranes?—Never; except in one instance, in which a farmer obtained from the craner a docket, containing a return of a larger quantity of corn than his sacks really contained, and thus the buyer was defrauded of the price of several stones of corn.

1503. Do you buy in this market by the barrel?—We do.

ROSCOMMON, 18*th October*, 1852.

107. George Dogherty.

1504. What does a barrel of wheat contain?—Twenty stone.
1505. What of oats?—Fourteen stone.
1506. What of barley?—Sixteen stone.
1507. What of potatoes?—Eight hundred-weight.
1508. Is a stone always calculated at fourteen pounds, avoirdupois?—It is; except in the case of wool, which is calculated at the rate of sixteen pounds to the stone.
1509. Does a hundred-weight always consist of 112 pounds?—It does.
1510. Is there a butter-market?—No; very little butter is sold in the town, and it is generally sold in the shops.
1511. What quantity of corn is sold in the town during a week?—About 800 barrels, on an average. I have myself in one day bought 700 barrels.
1512. What would your opinion be of the utility of a general market, such as has been described?—I would be in favour of it.

108. Mr. F. Mulnannan.

Mr. *Francis Mulnannan* examined.

1513. What is your occupation?—I keep a pair of scales in the market-place.
1514. What charges do you make for weighing?—One halfpenny for every draught under a hundred-weight, and 1*d.* when it is that weight or over it.
1515. What is the smallest weight you use in weighing corn?—Seven pounds.
1516. Do you weigh at standing beam or down weight?—Down weight; the scale with the sack must touch the ground, or I do not consider it weight.
1517. What height are your scales from the ground?—Nine inches.
1518. What weight would it require to bring your scales from standing weight to down weight?—About five pounds.
1519. Do you keep a book in which you enter the quantity sold, the price and amount, with the names of the buyer and seller?—I keep a book, but I do not enter the name of the buyer, as I am not aware of it when I am weighing the corn.
1520. Do you enter the price for which the corn is sold in your book?—I do not.
1521. Could you tell from your book the average price and amount?—I could not.
1522. Do you ever give a docket to the buyer or the seller containing those particulars?—I do, if I am required.
1523. Do you keep a duplicate of that docket?—I do not.
1524. What deductions do you make from the gross weight of the corn?—I deduct seven pounds for the empty sack if the gross weight is under thirty stone, and fourteen pounds if it exceeds it.
1525. What is the smallest weight used by you in weighing?—Seven pounds.
1526. Suppose the gross weight of the sack of corn was thirty-one stone seven pounds, standing beam, for what weight would the seller be paid?—For thirty stone.
1527. Have you ever heard any complaints made in consequence of frauds practised in weighing at the cranes?—I have never heard of any complaints being made of frauds at my crane. The Town Commissioners have a great hostility to the craners, because they would not pay them rent for the cranes in the market-place.
1528. Do you weigh potatoes in your crane?—I do.
1529. What are the deductions made by you in weighing potatoes?—For every draught less than three hundred-weight I deduct half a stone for the sack; if it exceeds three hundred-weight I deduct one stone.
1530. What is the smallest weight you use in weighing?—Seven pounds.
1531. I suppose the weight of the article must be either seven pounds or nothing?—It must.
1532. Suppose the weight of the corn was twenty stone seven pounds at standing beam, what would you call the weight?—Twenty stone gross.
1533. What are the charges made by you for weighing potatoes?—A half-penny for every basket, or 1*d.* for every sack.
1534. Do you weigh down weight?—No, but I require the cast of the beam.
1535. Of what number of pounds does a stone of wool consist?—Of sixteen pounds.
1536. What is the system of weighing wool adopted by you?—I take a cast of the beam, but I do not require the scale to touch the ground. I deduct four pounds on every draught for beamage.
1537. What tret is allowed?—Eight pounds on every draught of twenty stone.
1538. What deductions are made in weighing butter?—Four pounds from every hundred-weight.

109. Chas. Tully, esq.

Charles Tully, esq., examined.

1539. What is your occupation?—I am the proprietor of a newspaper in this town.
1540. Have you heard of frauds practised in weights at the cranes in the market-place?—I have; I knew one instance, in which a merchant who bought a quantity of corn upon a Saturday, and upon weighing it at home on Monday, had thirty-two barrels more than he had paid for.
1541. How was that case discovered?—The merchant quarrelled with his man for taking a feed of oats out of one of the loads. The man denied that it belonged to him, and upon the production of his clerk and books, it appeared that he had received thirty-two barrels more than he paid for.

ROSCOMMON, 18th October, 1852.

109. Charles Tully, esq.

1542. Do you consider that the farmer is not fairly dealt with at the cranes in the market-place?—They are not, and they, in consequence, resort to other markets. I know a farmer who sent 200 or 300 barrels of corn to Athlone in one year, although he resided in the neighbourhood of this town, sooner than send them to this market. This is very injurious to the town, as every farmer coming into the town for the market, causes the expenditure of some money; but no person has any control over the craners, who can do exactly as they please, and the dealers generally make their fortunes in two or three years.

1543. What are the charges made by a merchant for weighing in his own stores?—I cannot say.

1544. Do you consider that a general market, such as I have described, would be beneficial and would tend to the diminution of fraud in this market?—I do; I think it would be calculated to protect us all from fraud.

1545. Would you have all the corn brought into the town sold and weighed in the public market?—I would.

1546. Would you be in favour of having a small toll exacted on all articles brought into the market?—I would.

1547. Do you think that a proprietor should be at liberty to levy toll who did not give any market accommodation, such as providing an enclosed market-place or fair green?—I do not.

1548. If he provided sufficient accommodation, do you think he ought to be allowed to do so?—I do.

Doctor *Burke* examined.

110. Doctor Burke.

1549. Where do you reside?—In the town of Roscommon.

1550. Can you suggest any thing in addition to what has already been stated?—I think the proprietor of a market should not be entitled to exact tolls, unless he afforded sufficient accommodation in the market. There is a great want of such in this market. Lord Essex claims to be entitled to the market, and he does not afford the slightest accommodation. Great frauds are practised under the present system; I knew of one case when I was chairman of the Town Commissioners. A farmer came to me and complained that he had been dishonestly dealt with, by a craner in this town, who had returned his corn as weighing considerably less than it really did, and that sooner than submit to such an imposition, he had brought his corn home, a distance of eleven miles. I think that it would be more satisfactory if the tolls were in all cases vested in some public body, and applied by them in the improvement of the town, such as lighting, cleansing, &c.

1551. Would it be just to exact from the farmer a greater amount of tolls than would be required for market purposes?—The farmer derives a benefit from the improvement of the town, and the inhabitants of the town are sufficiently taxed at present; but at the same time I would not require the farmer to pay more than was necessary for affording him proper market accommodation.

1552. Would you be in favour of a general market such as I have described?—I would; nothing can be worse than the present system; there is no supervision: and I would be most anxious to have the sale of bread regulated by weight, the price per loaf varying according to the value of flour, but the weight of the loaf remaining stationary.

Farrell Mac Donald, esq., examined.

111. F. Mac Donald, esq.

1553. What is your occupation?—I am a merchant in this town.

1554. Can you suggest any thing in addition to what has been already stated?—I believe it will be admitted that the farmers are of opinion that they are not fairly dealt with at the market in this town, and resort to the adjacent markets to sell their corn. I should only be anxious to levy a toll that would be adequate to afford sufficient accommodation and security to the farmer. I have known dealers in this market to pay 9*s.* a barrel for oats and take it to a mill, and pay a shilling a barrel for grinding it, and from the extra weight received at the market scales, they were enabled to sell the meal at 9*s.* a hundred-weight. I have also known corn dealers to pay a higher price for corn in this market than they obtained for it at a market several miles off; and it was stated that they had a profit on it in consequence of the fraudulent weighing by the craners in this market. It would be most desirable to place all parties on an equality, and protect both buyer and seller from the gross frauds practised at present. I do not wish to see this market injured by dishonest dealing, as the farmers who leave it and go to another market spend nothing in the town. I applied to Mr. Graham Johnston, the agent of the Earl of Essex, to co-operate with the Town Commissioners in putting down the frauds which existed in the town, but he declined to interfere.

1555. Would you be in favour of a general market such as has been described?—I would.

1556. Do you think sufficient accommodation could be had in this town for such a market?—I do.

Edward Corr, esq., J.P., examined.

112. Edward Corr, esq.

1557. Where do you reside?—I live near this town.

1558. Have many cases of fraud connected with this market come under your observation at Petty Sessions?—Yes, I recollect one case, in which Mr. Banahan, agent to Mr. Bianconi, in this town, charged a corn jobber who had delivered him oats, with having obtained from one of the craners in the market a docket for a greater quantity of oats than the sacks really contained. The case was sent for trial to Quarter Sessions, and the party was convicted.

TUAM,
19th October, 1852.

113.
Mr. Patrick Bird.

TUAM, OCTOBER 19, 1852.

Mr. *Patrick Bird* examined.

1559. Where do you reside?—In Tuam.

1560. What is your occupation?—I am the toll farmer to the Town Commissioners.

1561. Under what patent is the market held in this town?—I do not know, but I believe that it is held under a patent granted in the reign of King James.

1562. How often is the market held, and what are the market-days?—Twice a week, upon every Wednesday and Saturday.

1563. Who is the present owner of the market?—The Town Commissioners, as successors to the old Corporation.

1564. Are any tolls paid in the market?—Yes.

1565. Will you give a list of the tolls paid in the market?—[*The following list was handed in of the tolls and customs payable in the Borough of Tuam.*]

	s.	d.
Cows, heifers, and bullocks, each fair day,	0	4
Two years old do.,	0	3
Calves, do.,	0	2
Sheep and lambs, do.,	0	1
Horses and colts, do.,	0	4
Asses and mules, do.,	0	2
Live pigs, do.,	0	2
CUSTOM AND CRANAGE.		
Slaughtered pigs, each fair day,	0	3
Bacon, per flitch, do.,	0	1
Slaughtered cows and bullocks, do.,	0	3
„ Sheep, lambs, or kids, do.,	0	1
„ Veal calves, do.,	0	1
Hides, do.,	0	2
Horse and calf skins, do.,	0	1
Butter, per 14lbs., do.,	0	1
Soap and candles, per cwt. or box, do.,	0	2
Hay and straw, per cart-load, do.,	0	3
„ per ass or horse load do.,	0	1
Oatmeal, per cwt., do.,	0	1
Oats, wheat, barley, and all other kinds of grain, under 1 cwt. do.,	0	1
Twelve stone, do.,	0	1½

CUSTOM AND CRANAGE—*continued.*	s.	d.
Oats, wheat, barley, and all other kinds of grain—		
Twenty stone,	0	2
Upwards,	0	3
Potatoes, per load, or bag, do.,	0	1
Covered standings, on market days, each	0	3
Uncovered do.,	0	2
Hucksters', do.,	0	2
Hatters', do.,	0	3
Leather-cutters and broguemakers,	0	1
Wool, per pack,	0	6
Fish, per cart-load,	0	4
Cabbage, per do.,	0	2
Onions, per do.,	0	5
Vegetables, per do.,	0	3
Fruit, per basket,	0	1
Lemons, oysters, and honey, per load,	0	3
Earthenware and pipes, per do.,	0	2
Salt, per do.,	0	3
Worked timber and rods, per do.,	0	3
Flannels and friezes,	0	2
Cranage, each draught, under 5 cwt.	0	1
„ over 5 cwt.,	0	3

1566. Are tolls paid by the buyer or seller?—By the seller on market-days.

1567. Suppose cattle were sold on the market-day, who would pay the toll?—The seller; the buyer on a fair day.

1568. Are there enclosed market-places?—The corn and potato markets are held in the street, but there are enclosed market-places for the sale of meat, fish, and sheep.

1569. Is the sale of all agricultural produce confined to the market?—No; they sell the corn about the streets, and at the merchants' stores.

1570. Has a weighmaster been appointed for the markets?—Yes.

1571. Has the weighmaster been sworn under 4 Anne, c. 14?—Yes.

1572. Have a sufficient number of beams, weights, and scales been provided?—Yes; there is a weigh-bridge.

1573. Is there a market-house?—There is.

1574. Is all the agricultural produce sold in the town weighed in the market scales?—It is not, but the rule is that it should.

1575. What charges are made by you for weighing corn?—Where the weight of the sack is under eight stone, ½*d.*; where it exceeds eight stone, and is under twelve stone, 1*d.*; where it is twelve stone, 1½*d.*; where it exceeds twelve stone, and is under twenty stone, 2*d.*; where it exceeds twenty stone, 3*d.*

1576. Is that charge made for toll or weighing?—The charge is made for both toll and weighing; we make those charges whether the corn is weighed or not. There is no extra charge for weighing.

1577. What are the charges for weighing potatoes?—One penny per sack, irrespective of its weight.

1578. What for meal?—One penny for each hundred-weight.

1579. What for butter?—One penny for each stone.

1580. What for wool?—Six pence per pack.

1581. What deductions, in the nature of beamage or other allowances, are made in weighing, from the gross weight of the corn?—Seven pounds for beamage, and seven pounds for the sack, up to thirty-two stone, and if it exceeds thirty-two stone, twenty-one pounds.

1582. Are the same deductions made in weighing potatoes?—Yes, but potatoes are always calculated at fifteen pounds to the stone.

1583. What deductions are made in weighing butter?—None; we tare the tub or crock, and deduct its exact weight.

1584. What is the smallest weight you use in weighing corn or potatoes?—Seven pounds.

1585. Then the corn is either seven pounds or nothing?—It is, but in very small draughts I use a smaller weight.

TUAM, 19th October, 1852.

113. Mr. Patrick Bird.

1586. Do you take standing beam or down weight?—We take down weight.
1587. Suppose there were seven pounds in the scale at standing beam, would you throw it out?—I would.
1588. What weight would it take to bring the scales from standing beam to down weight?—Not more than half a pound.
1589. What are the height of your scales from the ground?—They are not more than six inches.
1590. Do you keep a book, in which you enter the quantity of corn sold, price, and amount?—I do not, except for the weigh-bridge.
1591. Do you give a docket to the buyer or seller?—I do, if required.
1592. Do you keep a copy of that docket?—I do not.
1593. Suppose the seller lost his docket, could you supply him with a duplicate of the docket?—I could not.
1594. If you do not keep a book, how do you enter the weight of the sack?—I chalk it upon the man's hat. If he requires a market note, I give it to him; but he must demand it at the time he gets his hat, as I copy the market note from his hat, before I give it to him.
1595. Do you not then give him his hat at the time you weigh the corn?—No, I throw the seller's hat into a room and keep it as a security for the payment of the toll.
1596. Would not a book be a more satisfactory way of entering the quantity sold?—It would, but I have too much to do to keep a book.
1597. Suppose the Government required you to furnish them with a statistical account of the quantity sold, average price and amount, could you do so?—I could not.
1598. Do you sell oats by the barrel or by the stone?—We sell wheat and oats generally by the stone; barley we generally sell by the barrel, which consists of sixteen stone.
1599. Are potatoes generally sold by the hundred-weight and stone, or by the barrel?—Generally by the stone and hundred-weight, but sometimes by the barrel, which consists of eight hundred-weight.
1600. Is a stone always calculated at fourteen pounds, avoirdupois?—It is, except in the case of potatoes, which are calculated at fifteen pounds, and wool, which is calculated at sixteen pounds.
1601. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.
1602. What are the deductions made in your scales in weighing wool?—Four pounds for beamage on every pack, and eight pounds for tret on every pack of twenty stone.
1603. Are there any deductions made in weighing butter?—There are not.
1604. Is there an inspector of butter?—There is not.
1605. Is butter sold by weight or lump?—By weight.
1606. Is there an inspector of weights and measures?—Yes; an inspector of weights and measures has been appointed by the Corporation; a dispute has taken place as to the payment of his fees, but nothing has been done, and the late inspector is still discharging the duties of the office.
1607. What rent do you pay to the Town Commissioners for the toll?—£330 per annum.
1608. Do you pay the weighmaster of the market?—I do not; he is paid by the Town Commissioners, and is their officer.
1609. Is any of the corn brought direct to the merchants' stores and sold there?—It is, but I get a toll upon that corn.
1610. Are the farmers satisfied at the way in which they are treated in the market?—I think they are.
1611. Is the payment of the toll contended?—I do not think it is.
1612. Do you think they are as well treated at the merchants' stores as in the market?—I think they are as well if not better treated.
1613. Are you well acquainted with the practice adopted in the fairs?—I am; I rent the fairs.
1614. Is the fair-green enclosed?—It is.
1615. Do you levy toll upon all cattle coming into the fair-green on fair days?—No, I only levy toll upon them going out, if they are sold.
1616. How do you discover whether they are sold or not?—I ask the person in charge of the cattle whether they are sold or not, and if he says they are not, I take his word for it.
1617. If you have reason to suspect that they are stating what is not true, do you oblige them to go through any form representing an oath?—I do not, and I would discharge from my employment any man attempting to administer an oath.
1618. What is the proportion of cattle usually sold at a fair in this town, to the entire number brought into it?—I should say, about from half to two-thirds; I think more than half the cattle entering the fair are generally sold.
1619. Have you ever known instances of persons evading the payment of the tolls, by saying the cattle were not sold, when they were?—I have.

114. Mr. Patrick Tulley.

Mr. *Patrick Tulley* examined.

1620. What is your occupation?—I am a merchant residing near this town.
1621. Do you buy in this market?—I buy corn in it.
1622 You have heard the answers which have been made, do you concur in them?—I

TUAM, 19th October, 1852.

114. Mr. Patrick Tulley.

do; I think the market would be much improved by having it administered by a Corporation, instead of by the Town Commissioners, who have no power to improve the town.

1623. Have you ever known of any frauds having been practised by the sellers in the market?—Yes, I have frequently known of corn being sold in the market which did not correspond with the sample.

1624. Have you ever heard of any cases of fraud on the part of the buyer?—I never knew an instance.

1625. What would be your opinion of a general market such as I have described?—I think it would be a very great improvement upon the present system, as it would place all parties upon an equality.

1626. Are the deductions for beamage, &c., made in the market, the same as those adopted at a merchant's stores?—They are.

1627. What is the smallest weight you use in your store?—Seven pounds in corn, but one pound in meal and small draughts.

1628. Your system corresponds with that adopted in the market scales?—It does.

1629. Would you be in favour of weighing all corn to a pound, like any other commodity, abolishing all deductions, except the tare of the empty sack, and regulating the price to be paid accordingly?—I would have no objection to such a system. I think it would be an improvement.

1630. Would you be in favour of the assimilation of weights and measures all through the country?—I would, as I think the present system occasions very great confusion.

1631. Do you think that it would be advisable to define, by legal enactment, what should be considered reasonable and proper tolls?—I would; wherever excessive tolls are exacted the town suffers by it.

1632. What would be your opinion of making a person, bringing his cattle into a fair, pay a small toll on their entrance, instead of paying on their going out, if they were sold, and obliging all proprietors to provide sufficient accommodation?—I think that it would be a very great improvement, as it would do away with the practice of administering illegal oaths.

1633. Do you think that it would be an inconvenience on the poor farmer to compel him to pay upon bringing his cattle into the fair?—I think it might, if they were very poor, and did not sell in the fair.

1634. Do the potato and corn markets afford sufficient accommodation for market purposes?—They do not.

1635. Do the Town Commissioners afford sufficient accommodation for the tolls they exact?—I do not think they do.

1636. How do the Town Commissioners apply the tolls they receive?—They have recently laid out £1,200 in flagging the town.

1637. Do you consider that that is applying the tolls for the accommodation of the farmer?—I do not think it can be considered to be for the benefit of the farmer.

1638. Do you think that the tolls exacted from the farmer should be applied for the benefit of the townspeople?—I do not; but the improvement of a town must be a benefit to the farmer selling his corn in the market.

1639. Do the Town Commissioners levy a town tax?—No; they have no power to levy a borough rate.

1640. Then the Town Commissioners have no other source of revenue than the collection of these tolls?—They have not.

115. J. F. Browne, esq.

J. F. Browne, esq., J.P., examined.

1641. Where do you reside?—Near this town.

1642. Do you concur in the observations and statements which have been made?—I think that there ought to be uniformity of weights and measures. I also think that no weight should represent the fractional portion of a pound, as cases have come before me at petty sessions in which a person used a weight of three and a half pounds, and represented it to be four pounds weight. I would also consolidate tolls, and regulate the amount to be exacted by Act of Parliament. I have been at several fairs in which frauds were practised by exacting a larger toll than the collector was entitled to demand. I would also be in favour of a general market, such as has been described; and I think the deduction for beamage in this market is an extortion.

1643. Would you abolish all deductions at present made in weighing; weigh to a pound, and afterwards tare the sack, and deduct its exact weight from the gross weight of the corn?—I would; those deductions were originally introduced in consequence of the fraudulent state in which farmers brought their corn to the market.

1644. Is it not the practice of the merchants, if the corn is found not to correspond with sample, to cut back the farmer afterwards, in addition to those deductions?—It is; farmers very often put an inferior quality of corn at the top and bottom of the sack, and the merchant reduces the price when he finds this to be the case. I would also have a sworn weighmaster, to regulate all disputes between the buyer and seller: this is very much required, particularly in fairs, as where the cause of action exceeds £5, the magistrates at petty sessions have no jurisdiction.

1645. Would you be in favour of exacting a small toll upon entering the fair, instead of continuing the present system?—I would. Oaths are at present frequently administered, and such leads to much perjury. Such a system should be abolished.

TUAM,
19th *October*, 1852.

115.
J. F. Browne, esq.

1646. Are the fairs in this neighbourhood generally held on enclosed fair-greens?—They are not.

1647. Would you prevent the proprietor of any fair or market levying toll where he did not provide sufficient accommodation?—I would; the schedule at present posted in the market-place is the same as that adopted by the old Corporation of this town.

1648. Did the old Corporation afford more accommodation for market purposes than the Town Commissioners do at present?—I do not think they did; I believe the Town Commissioners afford more; but, still, it is too little accommodation.

1649. Can you suggest any thing in addition to what you have already stated?—I think the Town Commissioners ought to collect the tolls themselves, instead of leaving them to persons for that purpose, and that accounts should be kept of all the sales which take place in the market, and a docket given to the buyer or seller.

1650. What is the largest amount for which you ever knew the tolls to be leased?—£360 per annum. The system of marking the weight of the corn upon a man's hat, instead of giving a proper docket, is an extremely bad one, and it has given rise to many disputes which have been brought before me.

Mr. *Kelly* examined.

116.
Mr. Kelly.

1651. Can you suggest any thing in addition to what has already been stated?—The system of marking the weight of the corn weighed upon the hat of the seller, instead of giving a proper docket, is very much calculated to promote fraud, as the owner of the hat might erase the quantity marked upon it. It gives rise, likewise, to a great deal of confusion, as the hat, when marked, is thrown into a room, through a window, and retained until the owner pays the custom.

1652. What quantity of corn is usually sold in your market?—Upon last Saturday there could not be less than forty ton of corn sold. The mode in which bread is sold is very objectionable; it is sold by bulk, and not by weight.

Mr. *John Hopkins* examined.

117.
Mr. John Hopkins.

1653. Can you suggest any thing in addition to what has already been stated?—Bread is always sold by the lump instead of by weight. I think it ought always to be sold by the weight; and that the loaf should never vary in weight, although it might in price. One of the greatest obstacles to the improvement of this town, is its being built upon land which is held under a bishop's lease; as no person would be imprudent enough to build upon land of which he might be deprived at the end of twenty-one years.

Patrick Burke, esq. examined.

118.
Patrick Burke, esq.

1654. Where do you reside?—In this town.

1655. Can you suggest any thing in addition to what has been already stated?—The system adopted in the market in this town is dreadful. There is no meat-market or shambles; no law to regulate the dealings between buyer and seller; and no proper supervision. Numerous complaints are made of frauds and other malpractices. I think the adoption of a market jury would be a very great benefit.

1656. Do you think the Town Commissioners afford sufficient accommodation in return for the tolls they receive?—The Town Commissioners are most anxious to afford further accommodation if they had funds to do so, which they have not; as the tolls are let at £330; and every shilling of that sum is expended in the improvement of the town. The following list will show the application of the tolls received in this town:—

Average Annual Expenditure of the Town Commissioners.

	£	s.	d.	£	s.	d.
Salaries:—Secretary,	25	0	0			
Inspector of weights, &c.,	10	0	0			
Craner,	20	0	0			
Bailiffs,	17	10	0			
				72	10	0
Rents:—Quit-rent,	0	12	6			
Meat-market,	12	12	0			
Fish-market,	4	4	0			
Fair-green,	30	0	0			
				47	8	6

	£	s.	d.
Printing, advertising, &c.,	10	0	0
Law costs,	10	0	0
Cleansing,	10	0	0
Town clock,	5	0	0
Stationery, postages, and books,	3	10	0
Clothing,	10	0	0
Repairing town-weights, scales, &c.,	2	10	0
	£170	18	6

Tuam, October 8, 1851.

W. Savage, esq., examined.

119.
W. Savage, esq.

1657. Where do you reside?—In this town.

1658. Do you wish to make any observations?—I wish to call your attention to the disgraceful state of the meat-market at present. The carcases of diseased cattle, and meat which is tainted, is constantly exposed for sale in it; and I lately heard of a case in which a mad dog in this town bit a cow, and the cow was sold to a butcher, and disposed of in the market. We experience a great want of supervision of the weights and measures.

Charles Blake, esq., examined.

120.
Charles Blake.

1659. Where do you reside?—In this town.

1660. Do you wish to make any observations?—I do. The charges for toll in this market are excessive. A short time ago I bought three or four hundred-weight of straw, and the market charges amounted to 3*d.*; nearly one-fourth of the entire produce of the load. There is a market five miles from this, which is doing a great deal of business.

GALWAY, 20th October, 1852.

121.
Rev. Peter Daly.

GALWAY, OCTOBER 20, 1852.

The Rev. *Peter Daly*, P.P., examined.

1661. Where do you reside?—In this town. I am chairman of the Town Commissioners.

1662. Under what patent is the market in this town held?—There is a private Act of Parliament of 6 & 7 Wm. IV., for regulating and improving the town of Galway, which confers upon the Town Commissioners certain powers under which they act. There were at one time some old charters, but I do not believe they are now in force.

1663. How often is the market held, and what are the market-days?—Twice a week; upon every Wednesday and Saturday.

1664. Are those the days specified in the Act?—No; there are no days specified in the Act; but we adopted those days because they were those specified by the old charter.

1665. Who is the owner of the market?—The Town Commissioners, as the successors of the old Corporation.

1666. Are tolls paid in the market?—Tolls are divided into in-gate and out-gate tolls, and are paid upon entering the town. The amount to be exacted, in respect of tolls, is regulated by a schedule annexed to the Act of Parliament. The following is a list of them:—

SCHEDULE OF IN-GATE TOLLS.

(Being Schedule A, in the Act mentioned.)

	s.	d.
Agriculture and garden seeds, per cwt.,	0	2
Ashes, pot and pearl, per barrel,	0	1
Alum and copperas, per cask,	0	1
Barilla, per ton,	0	4
Beer, porter, and ale, per hogshead,	0	1½
„ per barrel,	0	1
Books and paper, per bale or box,	0	1
Brimstone, per cwt.,	0	1
Butter, „	0	1
Cheese, „	0	6
Coals, per ton,	0	2
Copper, per cwt.,	0	2
Cotton, per bale or bag,	0	1
Cordage, per ton,	1	0
Cider, per pipe,	0	6
„ per hogshead,	0	3
Coffee, per cwt.,	0	2
Corkwood, per ton,	1	0
Candles and soap, per cwt.,	0	1
Dye-wood, per cask,	0	1
Earthenware, per hogshead or crate,	0	1
Cured fish, per barrel,	0	1
Cod or ling, per ton,	0	6
Fresh lemons or oranges, per box,	0	0½
Gunpowder, per cwt.,	0	3
Hats, each,	0	0¼
Hardware, per package,	0	1
„ per hogshead,	0	6
Hides and skins, raw, per cwt.,	0	0½
Sheep skins, raw, per gross,	0	1
Hops, per bag or pocket,	0	3
Ham, per ton,	1	0
Glue, per cwt.,	0	1
Leather, „	0	1
Iron, „	0	0½
Steel, „	0	1
Lead, „	0	1
Indigo, „	1	0
Mahogany, per ton,	1	0
Metal-ware, „	0	10
Mats, not Irish, per 120,	0	3
Molasses, per cask,	0	6
Musical instruments, per case,	1	0
Pork, per ton,	0	6
Oil per cask,	0	2
Oil of vitriol, per carboy,	0	1
Paints and colours, per cask,	0	2
Pitch, tar, resin, and turpentine, per bar.,	0	1
Portland stone, per ton,	0	6
Plaster of Paris, per barrel,	0	1
Raisins, figs, and currants, per cwt.,	0	2
Rice, per cwt.,	0	2
Quills and feathers, per stone,	0	0½
Rags, per ton,	0	3
Rape and linseed oil, per ton,	0	6
Spirits, per puncheon,	1	0
Sacks, per 120,	0	3
Saltpetre, per cwt.,	0	1
Salt, per ton,	0	1
Sugar, per cask,	0	6
Scythes, per gross,	0	2
Sickles, „	0	1
Staves, pipe, per 1,200,	0	6
„ hogshead, „	0	3
„ barrel, „	0	1
Tallow, per cwt.,	0	2
Tea, per chest,	0	4
Tin per box,	0	1
Tobacco, per hogshead,	1	0
„ per roll,	0	1
Vinegar, per tierce,	0	1
Wine, per pipe,	1	0
„ per hogshead,	0	6
„ per quarter cask,	0	3
„ in bottle, per dozen,	0	1
Wood, per car-load,	0	2
Woollen goods, per bale,	1	0
Cotton, „	0	4
Wood hoops, per thousand,	0	2
Wool, per cwt.,	0	1
Barm, per 120 gallons,	0	4
„ per 60 „	0	2
Lime, per car-load,	0	0
Hay, per load,	0	1½
Straw, „	0	1
Oats, per barrel of 14 stone,	0	1
Barley, „ 16 „	0	1
Wheat, per cwt.,	0	1
Malt, per barrel of 12 stone,	0	1
Oatmeal, per cwt.,	0	1
Horses, each,	0	2
Cows and oxen, „	0	2
Calves, „	0	1
Sheep, „	0	1
Lambs, „	0	0½
Pigs, „	0	1
Small pigs, „	0	0½
Mules and asses, „	0	1

And so in proportion for every greater or lesser quantity, number, or weight, of the articles matters, and things before-mentioned; but not so as to charge for any quantity, number, or weight, which will not yield one farthing toll, according to the proportion of the tolls above mentioned.

SCHEDULE of OUT-GATE TOLLS.

	s.	d.
Bacon and hams, per ton,	0	6
Candles and soap, per cwt.,	0	1
Earthenware, per hogshead or crate,	0	1
Herrings, per barrel,	0	1
„ in bulk, per 1,200,	0	1
Glass, window, per crate,	0	2
„ bottles, per gross or 12 dozen,	0	1
Hides and skins not manufactured, per cwt.,	0	0½
Leather, per cwt.,	0	1
Provision, salted, per tierce,	0	1
„ per barrel,	0	0½
Iron, per cwt.,	0	0½
Steel, „	0	1
Coals, per ton,	0	1
Lead, per cwt.,	0	2
Bark, per cart load,	0	1
Pitch, tar, resin, and turpentine, per bar.,	0	1
Plaster of Paris and cement, „	0	1
Slates, per ton,	0	2
Staves (pipe), per 1,200,	0	4
„ (hogshead), „	0	2
„ (barrel), „	0	1

	s.	d.
Tallow, per cwt.,	0	1
Salt, per ton,	0	2
Timber (foreign), per ton,	0	2
Deals, per dozen,	0	1
Hoops, per 1,200,	0	1
Wine, per pipe,	0	8
„ per hogshead,	0	4
Sugar, per hogshead,	0	6
„ per tierce,	0	3
„ per barrel or bag,	0	1
Flour, per ton,	0	2
Spirits, per puncheon,	0	6
Beer, ale, and porter, per hogshead,	0	1
„ per tierce or barrel,	0	0½
Tobacco, per hogshead,	0	6
„ per roll,	0	1
Malt, per barrel of 12 stone,	0	1
Books and paper, per car-load,	0	6
Brimstone, per cwt.,	0	0½
Furniture, per car-load,	0	6
Cheese, per cwt.,	0	0½

And so in proportion for any greater or lesser quantity, number, or weight, of the articles, matters, or things before-mentioned; but not so as to charge for any quantity, number, or weight, which will not yield one farthing toll, according, and in proportion to the tolls above-mentioned respectively.

1667. Are tolls generally paid by the buyer or seller?—By the seller, in every instance.

1668. Are the market-places enclosed?—No; there is a market-place for potatoes and fish, which is temporarily enclosed; the other markets are not, but are held about the streets of the town.

1669. Is the sale of all agricultural produce confined to those market-places?—It is not, although the intention was that it should be; but, agricultural produce frequently goes direct to the merchants' stores for sale. It must previously pay the tolls whether it goes to the market or not.

1670. How many weighmasters are employed in the markets?—Three.

1671. Are the weighmasters sworn under 4 Anne, c. 14?—They are not.

1672. Have a sufficient number of beams, weights, and scales been provided in the markets?—For the present sales they are sufficient, but they would not be so if all the agricultural produce brought into the town was sold and weighed in the public scales.

1673. What are the charges for weighing, independently of the tolls?—You will find them in the schedule annexed to the Act.

1674. Is there an inspector of butter in Galway?—No.

1675. Is butter usually sold by weight or by lump?—By weight. In the sale of fresh butter, the pound is calculated at twenty-four ounces; if salt butter, at sixteen ounces.

1676. Is the sale of butter confined to the market-places?—No, it is generally sold in the streets of the town. There are places in the market appropriated to the sale of butter, but the sale of it is not confined to those places.

1677. How is bread sold in this town?—Generally by the loaf, and not by weight, as it ought to be.

1678. What is the gross annual amount received by the Town Commissioners for tolls?—It used to amount to £2,000 per annum, but it has latterly been reduced to about £900 or £1,000 per annum.

1679. Do you attribute that falling off to the change of times and diminution of agricultural produce?—I do.

1680. How are the tolls applied?—In the improvement of the town: in procuring gas lights, for which we have contracted to pay a Gas Company £500 per annum, and in paying watchmen.

1681. Who is it pays for the cleaning the streets and keeping them in order?—The Town Commissioners, out of the revenue they receive for tolls. The application of the tolls is regulated by the Act of Parliament.

1682. What accommodation do the Town Commissioners afford the farmer in return for the toll he pays?—He gets permission to bring his carts into the market-square, and sell his produce there; but if the Town Commissioners had the means, they would afford him more accommodation than he receives at present.

1683. What would be your opinion of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be weighed and sold?—I would be decidedly in favour of such a market, whatever it might cost, as I think it would be much more satisfactory to the farmers than the present system.

Referred to in the Report, p. 23, as Q. 1643.

1684. Would the merchants object to such an arrangement?—Some of them might, but they could have no reasonable objection to it. This is, I think, the general impression of the Town Commissioners, as we have frequently discussed the question.

GALWAY,
20th October, 1852.

121.
Rev. Peter Daly.

1685. Do you think the sale of all agricultural produce should be concentrated in one place, or distributed among distinct markets, provided for the sale of the several different kinds of agricultural produce?—I think it would be very difficult to find, in this town, any one place large enough to afford sufficient accommodation for the sale of all the agricultural produce brought into the town, and several markets might be more convenient for the persons in the town.

1686. Would you have a responsible person, for instance, a sworn weighmaster, in such market, to settle all disputes between the buyers and sellers?—I would.

1687. Could this be effected if there were several distinct markets?—I do not think it could.

1688. Would you be in favour of an assimilation of weights and measures through the country?—I would, if it could be effected without public inconvenience; it would be advantageous, but I saw so much injury done by the change of the currency, that I should have some hesitation in recommending such a measure.

1689. Would it not be more convenient to sell all agricultural produce by the hundredweight and stone, instead of by the barrel?—I think it would. The merchants here always buy by weight, and when they transmit their corn to England for sale, they experience some inconvenience in consequence of corn being purchased in England by the measure or bushel.

1690. How many fairs are held in this town in a year?—Four; two are of importance, the others are not.

1691. Is there an enclosed fair-green in this town?—No, the fair is held in the street surrounding the square. This is very inconvenient, and it would be very desirable to have an enclosed fair-green.

1692. Are the tolls payable at the fair levied upon the cattle going into or coming out of the fair?—Toll is levied upon the cattle sold, when they are coming out of the fair, but on market-days, toll is levied upon the cattle going into it.

1693. How does the man at the gate ascertain whether the cattle going out of a fair are sold or not, and therefore, liable to toll?—He makes the person in charge of the cattle go through some form which represents an oath. This is the most infernal practice any person could invent, and should be immediately put a stop to.

1694. Do you not think it would be better to do away with all swearing, to afford ample accommodation in an enclosed fair-green, and to levy a small toll upon all cattle when they were going into the fair, instead of continuing the present system?—I do, decidedly.

1695. What is the proportion of the cattle paying tolls to the entire number going in?—I think the greater portion of the cattle going into a fair are sold. The course I would adopt would be, to deprive every person selling or buying cattle, outside the fair-green, of the protection of the law; this, I think would induce all persons to bring their cattle into the fair-green, or market, and it would protect the poor man from fraud, and the injury frequently occasioned to his cattle in consequence of the present system.

1696. If such a system were adopted as you suggest, do you think that a poor man would be inconvenienced, by having to pay in the first instance, on his cattle entering the fair-green, by reason of his not having sufficient money to pay the toll?—I do not; he could easily procure the toll from his friends or neighbours, and no inconvenience is felt by the present regulation in the market, which compels all persons entering the market to pay the toll. If they can do it entering the market, why should they not be able to do so, when they are entering the fair-green; besides, by such an arrangement, a smaller toll might be levied than that which is now exacted, and cattle would be in a better condition for sale.

1697. Do you think it would be advantageous to have monthly fairs in the town?—I do; the markets held upon Saturdays are sometimes larger than some of the fairs held in other parts of this county. I think a monthly fair is required.

1698. Do you think it would be advisable in weighing, to abolish all deductions, whatever in the nature of beamage or allowance, weigh the corn to the pound, like any other commodity, and afterwards tare the sack and deduct its exact weight from the gross weight of the corn, the merchant regulating his price accordingly?—I do; the present system is very confused; but I must say, there is a disposition in this county to jumble every thing together; such a system would benefit the farmer, and could not be injurious to the merchant, because he would regulate his price accordingly. It would also induce the sellers to bring in their produce in a proper state for sale. The sellers at present make up their bags in a very slovenly way; indeed I might call their conduct immorality.

1699. Would you have heavy penalties imposed for the commission of any fraud by the buyer or seller?—I would; but above all, I would provide for the immediate attainment of justice in such cases. I would confer upon the Sub-Inspector of police power to adjudicate immediately upon such cases, for the countryman frequently submits to imposition and fraud, rather than bring his corn home with him, perhaps a distance of twenty miles. The system adopted in France might perhaps be introduced with benefit. Upon one occasion, whilst travelling through that country, an imposition was attempted to be practised upon me by a hotel-keeper; I went to the Commissary of police, who is always at hand, and obtained immediate justice.

1700. Do you not think that it would be more advisable to confer such power upon the Mayor of the town, where there is one, or upon the Chairman of the Town Commissioners, where there is no Mayor?—No; I think the chief officer of the constabulary would be the proper person to refer to in such cases.

1701. Would you allow the proprietor of tolls of a fair, to collect tolls where he afforded

no accommodation whatever to the public, as for example, where the fair was held upon the public roads?—I would not.

1702. Can you suggest any thing in addition to what you have already stated?—I may mention that the 6 & 7 Wm. IV., the private Act for the management of this town, is extremely defective, as it does not give the Town Commissioners any power to levy a rate for the improvement of the town. We were about to take proceedings to obtain powers to do so, but abstained until we had ascertained the result of this Commission.

1703. Suppose corn was brought into the town by the canal, would toll be exacted for it?—It would; we are entitled to levy tolls over the entire of the town. I believe that there are toll-gates upon the canal. Foreign corn coming into the harbour, pays certain rates to the Harbour Commissioners, but the Town Commissioners do not receive any thing for it, unless it goes into the new docks. If, however, the corn be Irish produce, it must pay toll to the Town Commissioners. Any thing paying harbour toll is exempt from paying toll to the Town Commissioners.

1704. Is the toll levied for harbour dues equal to the tolls levied by the Town Commissioners?—It is not; the harbour dues are considerably less than that exacted upon native produce.

1705. Then foreign corn brought into the harbour has an advantage over the corn brought from another Irish port?—It has; the tolls levied upon native grown corn exceed those levied upon corn of foreign growth by about 1*s.* per ton. I have heard that the latter pays some *ad valorem* duty, but I do not know how this is. [*The witness handed in the following*]:—

The Galway Town Commissioners in Account with their Treasurer,
For the year ending 7th October, 1852.

(Published in conformity with the Act of Parliament, 6th and 7th Wm. IV.)

Dr. Disbursements.	£	*s.*	*d.*
To balance due at foot of last account	77	2	10
Amount paid watchmen, £425 13 7			
Clothing for do., 71 18 0			
One year's rent of watch-house to 1st June last, 19 1 6			
Fuel and light for watch-house, . . 7 10 0			
Poor rates, . . 2 7 9			
Grand Jury cess, . 0 15 4			
	527	6	2
Cleansing streets, . 157 5 3			
Thomas Fitzgerald, do., . 10 0 0			
Two years' rent of dung-yard, . . . 7 10 0			
	174	15	3
Repairs of streets, roads, &c., . . . 296 14 0			
Building wall at Wood-quay, . . 5 0 0			
	301	14	0
Gas Company, . . 263 8 4			
Do. for gas during cattle show, . . 10 0 0			
	273	8	4
Secretary's salary to 31st March, 1852,	75	0	0
Repairs of lamps, service-pipes, &c.,	30	0	0
Julia M'Auley (gratuity) to 26th June last, ...	20	0	0
Thomas J. Reed (fees on convictions),	15	0	0
Rent of toll offices, . . .	6	0	0
Cost of election, . . .	3	12	9
Printing, ...	5	5	0
Shrubs and keys for square, .	2	10	5
Toll boxes, ...	2	6	6
Building walls, &c., at vegetable market,	2	10	2
Stationery, ...	1	0	0
Cleansing office, . . .	1	0	0
Lithographing address for Lord Lieutenant, ...	1	0	0
Contingencies, . . .	4	10	0
Interest charged by bank on sums advanced, . . .	0	14	6
	£1,525	7	5

Cr. Receipts.	£	*s.*	*d.*
By amount received for tolls, . £967 16 10			
Fruit and vegetable market, . . . 44 15 9			
Potato crane, . . 70 0 0			
Corn crane, . . 20 16 6			
West crane, . . 1 0 0			
	1,104	9	1
Presentments, . . .	179	9	10
For watchmen's clothing, . .	40	14	7
For manure, . . .	48	0	3
Keys for square, . . .	16	0	6
Standings at Shop-street, . .	15	0	0
	£1,403	14	3
By balance due Treasurer, . . 52 0 8			
Outstanding checks.			
Secretary, . . 50 0 0			
Gas Company, . . 13 0 0			
Mr. Maunsell, rent of watch-house, . 9 12 6			
	121	13	2
	£1,525	7	5

We have examined the above account, and carefully compared the vouchers, which we find correct; and the balance due of the Commissioners, amounting to £121 13*s.* 2*d.*, sterling.

Galway, October 28, 1852.

(Signed,) James J. Fynn,
A. R. Mullins,
Joseph Grealy,
Auditors.

GALWAY.
30th October, 1852.

121.
Rev. Peter Daly.

SCHEDULE of IN-GATE TOLLS for the TOWN of GALWAY.

(From the 6th and 7th Wm. IV.—1836.)

	s.	d.
Agricultural and garden seeds, per cwt.,	0	2
Ashes, pot and pearl, per barrel,	0	1
Alum and copperas, per cask,	0	1
Barilla, per ton,	0	4
Beer, porter, and ale, per hhd.,	0	1½
Do. do. do., per barrel,	0	1
Books or paper, per bale or box,	0	1
Brimstone, per cwt.,	0	1
Butter, per cwt.,	0	1
Cheese, per cwt.,	0	6
Coals, per ton,	0	2
Copper, per cwt.,	0	2
Cotton, per bale or bag,	0	1
Cordage, per ton,	1	0
Cider, per pipe,	0	6
Do. per hhd.,	0	3
Coffee, per cwt.,	0	2
Corkwood, per ton,	1	0
Candles and soap, per cwt.,	0	1
Dyewood, per cask,	0	1
Earthenware, per hhd. or crate,	0	1
Cured fish, per barrel,	0	1
Cod, or ling, per ton,	0	6
Fresh lemons, or oranges, per box,	0	0½
Gunpowder, per cwt.,	0	3
Hats, each,	0	0¼
Hardware, per package,	0	1
Do. per hhd.,	0	6
Hides and skins, raw, per cwt.,	0	0½
Sheepskins, raw, per gross,	0	1
Hops, per bag or pocket,	0	3
Hams, per ton,	1	0
Glue, per cwt.,	0	1
Leather, per cwt.,	0	1
Iron, per cwt.,	0	0½
Steel, per cwt.,	0	1
Lead, per cwt.,	0	1
Indigo, per cwt.,	1	0
Mahogany, per ton,	1	0
Metal ware, per ton,	0	10
Mats (not Irish), per 120,	0	3
Molasses, per cask,	0	6
Musical instruments, per case,	1	0
Pork, per ton,	0	6
Oil, per cask,	1	0
Oil of vitriol, per carboy,	0	1
Paints and colours, per cask,	0	2
Pitch, tar, resin, and turpentine, per barrel,	0	1
Portland stone, per ton,	0	6
Plaster of Paris, per barrel,	0	1
Raisins, figs, and currants,	0	2
Rice, per cwt.,	0	2
Quills and feathers, per stone,	0	0½
Rags, per ton,	0	3
Rape and linseed oil, per ton,	0	6
Spirits, per puncheon,	1	0
Sacks, per 120,	0	3
Saltpetre, per cwt.,	0	1
Salt, per ton,	0	1
Sugar, per cask,	0	6
Scythes, per gross,	0	2
Sickles, per ditto,	0	1
Staves (pipes), per 1,200,	0	6
Ditto (hhds.), do.	0	3
Ditto (barrels), do.	0	1
Tallow, per cwt.,	0	2
Tea, per chest,	0	4
Tin, per box,	0	1
Tobacco, per hhd.,	1	0
Ditto, per roll,	0	1
Vinegar, per tierce,	0	1
Wine, per pipe,	1	0
Ditto, per hhd.,	0	6
Ditto, per quarter cask,	0	3
Ditto, in bottles, per dozen,	0	1
Wood, per car-load,	0	2
Woollen goods, per bale,	1	0
Cotton do.,	0	4
Wood hoops, per thousand,	0	2
Wool, per cwt.,	0	1
Barm, per 120 gallons,	0	4
Ditto, per 60 gallons,	0	2
Lime, per car-load,	0	0½
Hay, per ditto,	0	1
Straw, per ditto,	0	1
Oats, per barrel of 14 stone,	0	1
Barley, ditto of 16 stone,	0	1
Wheat, per cwt.,	0	1
Malt, per barrel of 12 stone,	0	1
Oatmeal, per cwt.,	0	1
Horses, each,	0	2
Cows and oxen, each,	0	2
Calves, each,	0	1
Sheep, each,	0	1
Lambs, each,	0	0½
Pigs, each,	0	1
Small ditto, each,	0	0½
Mules and asses, each,	0	1

And so on, in proportion, for every greater or lesser quantity, number, or weight of the articles, matters, and things before mentioned, but not so as to charge for any quantity, number, or weight, which will not yield one farthing toll, according, and in proportion to the tolls above-mentioned, respectively.

SCHEDULE of OUT-GATE TOLLS for the TOWN of GALWAY.

(From the 6th and 7th Wm. IV. —1836.)

	s.	d.
Bacon and hams, per ton,	0	6
Candles and soap, per cwt.,	0	1
Earthenware, per hogshead or crate,	0	1
Herrings, per barrel,	0	1
Ditto in bulk, per 120,	0	1
Glass (window), per crate,	0	2
Ditto bottles, per gross or twelve dozen,	0	1
Hides and skins (not manufactured), per cwt.,	0	0⅓
Leather, per cwt.,	0	1
Provisions, salted, per tierce,	0	1
Ditto, per barrel,	0	0⅓
Iron, per cwt.,	0	0½
Steel, per cwt.,	0	1
Coals, per ton,	0	1
Lead, per cwt.,	0	2
Bark, per car-load,	0	1
Pitch, tar, resin, turpentine, per barrel,	0	1
Plaster of Paris and cement,	0	1
Slates, per ton,	0	2
Staves (pipes), per 120,	0	4
Do. (hogsheads), per do.,	0	2
Do. (barrel), per do.,	0	1
Tallow, per cwt.,	0	1
Salt, per ton,	0	2
Timber (foreign), per ton,	0	2
Deals, per dozen,	0	1
Hoops, per 120,	0	1
Wine, per pipe,	0	8
Do per hogshead,	0	4
Sugar, per hogshead,	0	6
Do. per tierce,	0	3
Do. per barrel or bag,	0	1
Flour, per ton,	0	2

	s.	d.		s.	d.
Spirits, per puncheon,	0	6	Malt, per barrel, of twelve stone,	0	1
Beer, porter, and ale, per hogshead,	0	1	Books and paper, per car-load,	0	6
Do. do. do per tierce or barrel,	0	0½	Brimstone, per cwt.,	0	0½
Tobacco, per hogshead,	0	6	Furniture, per car-load,	0	6
Do. per roll,	0	1	Cheese, per cwt.,	0	0½

And so on, in proportion, for every greater or lesser quantity, number, or weight of the articles, matters, and things before mentioned, but not so as to charge for any quantity, number, or weight, which will not yield one farthing toll, according, and in proportion to the tolls above-mentioned, respectively.

The amount the tolls and customs produced the last time they were let, in October, 1843, was £1,700.

The amount of tolls received for the last half-year, ending 31st March, 1853, including expenses of collection, was £707 2*s.* 6*d.*

Cranage fees, £53 6*s.* 6*d.*

Town Commissioners' Board Room,
March 31, 1853.

PETER DALY, *Chairman.*

Mr. *E. Leonard* examined.

122.
Mr. E. Leonard.

1706. What is your occupation?—I am the lessee of the tolls in the potato market in this town, and I act as weighmaster there.

1707. What is the system of weighing in the potato market—do you weigh at standing beam?—No; we give a draught, the scale must touch the ground twice.

1708. What is the smallest weight you calculate in the potato market?—The smallest we use is eight pounds.

1709. If there were eight pounds' weight of potatoes in the scales at standing beam, the farmer would lose it?—He would; that is the practice at all markets.

1710. What are the deductions you make from the gross weight of the sack for beamage and the empty bag?—I deduct nothing for beamage; I deduct fourteen pounds or twenty-one pounds for the empty sack, according to its appearance. If the seller wishes he can get the sack tared afterwards, and deduct its exact weight from the gross weight.

1711. Do you keep a book in which you enter the quantity of potatoes sold, average price, and amount?—I keep a book, but I only enter in it the quantity sold.

1712. Do you give a docket to the buyer or seller?—If the seller requires a docket I give him one, but I generally mark the quantity sold with chalk upon his hat.

1713. Do you keep any copy of the docket when you give one?—I do not.

1714. Suppose a person lost the docket, could you supply him with a duplicate of it?—I could not.

1715. If Government required you to furnish them with the quantity of potatoes sold in a year, the average price and amount, could you do so?—I could not.

1716. What charges are made by you for weighing potatoes?—I charge ½*d.* where the draught does not exceed ten stone; 1*d.* where it is twelve stone; from twelve stone to twenty stone, 1½*d.* If the sack were thirty or forty stone I would charge 2*d.*

1717. What is the system you adopt in weighing wool?—I weigh to a pound standing beam, deduct four pounds for beamage, eight pounds per pack for tret, and afterwards tare the pack.

1718. What charges are made by you for weighing wool?—One penny for every hundred-weight.

1719. What are the charges made by you for weighing butter?—Two pence per crock—1*d.* for weighing, and 1*d.* for the ticket.

1720. What are the deductions made by you in weighing butter?—There are no deductions in weighing butter.

1721. Do you generally sell potatoes by the barrel?—No; I sell them by the hundred-weight and stone.

1722. Is a stone of potatoes and wool always sixteen pounds?—It is.

1723. Have any complaints been made of your system of weighing?—I have been for fifty-one years weighmaster, and no complaint was ever made.

1724. Are all the potatoes sold in the town weighed in your scales?—They are not.

1725. Do you charge upon potatoes which come into the market, whether they are weighed or not?—I do; but if the potatoes are not sold, when they come again into the market I do not make any charge for them.

Mr. *Peter Malone* examined.

123.
Mr. Peter Malone

1726. What is your occupation?—I am the town steward and superintendent of the corn-market. The Town Commissioners collect the toll of it themselves.

1727. Explain the system of weighing adopted in the market.—We weigh standing beam, and deduct seven pounds for beamage.

1728. What is the smallest weight you use?—Seven pounds.

1729. Then the farmer might lose six pounds?—He might.

1730. What deductions are made for the weight of the empty sacks?—Seven pounds where the gross weight of the sack is under four hundred-weight, and fourteen pounds where it exceeds four hundred-weight.

1731. Suppose the gross weight of the sack to be fourteen stone six pounds, for what quantity would the seller be paid?—For thirteen stone.

GALWAY, 20*th October*, 1852.

123. Mr. Peter Malone.

1732. What are the charges you make for weighing corn?—Where the sack is under fourteen stone I charge ½*d.*; where it is up to fourteen stone, and under twenty stone, 1*d.*; where it exceeds twenty stone, 1½*d.*

1733. Do you keep a book in which you enter the quantity sold, price, and amount?—I do.

1734. Do you give a docket to the seller?—I do, and I keep the block.

1735. Do you enter in the book the names of the buyer and seller?—No; I only enter the name of the seller, and I do not enter in the book the price and amount.

1736. Suppose Government required you to furnish them with a statistical account of the quantity sold, average price, and amount, could you do so?—I could not.

1737. If a man lost his ticket, could you give him a duplicate of it?—I could, from the block which I retain.

1738. Are the empty sacks ever tared?—Yes; if the purchaser requires them to be tared we will do so.

124. John Greeney, esq.

John Greeney, esq., examined.

1739. What is your occupation?—I am a miller, in this town.

1740. Explain the system of weighing adopted in the merchants' stores?—I generally take standing beam and weigh to a pound, for my own satisfaction, but I do not pay the seller for less than seven pounds.

1741. What deductions in the nature of beamage or allowance is made by you in weighing?—Where the gross weight of the corn is under four hundred-weight, I deduct seven pounds for beamage; where it exceeds four hundred-weight and is under six hundred-weight, I deduct fourteen pounds; when it exceeds six hundred-weight, I deduct twenty-one pounds, and the actual weight of the sacks, which are generally tared. Sometimes, however, I take the average weight of the sacks as seven pounds.

1742. Is it a general practice in the merchants' stores to weigh with so small a weight as one pound?—It is the general practice in this town in the merchants' stores, but we do not allow the seller for less than seven pounds.

1743. Do you consider that a general market, such as I have described, would be beneficial?—I do, if sufficient accommodation could be provided, as it would place all parties upon an equality.

1744. Under the present system, has not the merchant some opportunity, when weighing in his own scales, to defraud the seller?—He undoubtedly has.

1745. You think that it would be for the benefit of the farmer and the honest trader, that a general market should be established?—I do.

1746. What quantity of corn do you suppose is usually sold in a week?—About 6,000 barrels, in round numbers.

1747. Have you known of any frauds having been practised, in consequence of the corn being weighed in the merchants' stores?—I have heard of complaints being made of merchants taking more weight than they were entitled to.

1748. Would you be in favour of doing away with all deductions, except the weight of the empty sack?—I would, if sufficient protection were provided against the farmer bringing in his corn with a better quality of corn at the top of the sack than at the bottom, and in the other parts of the sack.

1749. But could not the merchant regulate his price according to the quality of the corn?—He could.

1750. Do you not sometimes cut back the farmer in addition to the deductions at present made?—I do.

1751. If the farmer was liable to a heavy penalty for such a practice, do you not think that it would put an end to it?—I do; I would suggest that an inspector of markets be appointed, it would be a great benefit to all parties.

1752. What are the charges you make for weighing?—One penny for each sack, and 1*d.* for porterage.

1753. What is the greatest number of sacks you ever purchased in a day?—Five hundred.

1754. Would not the amount for porterage considerably exceed the wages paid to the men?—It undoubtedly would; but it would not be worth the seller's while to send in his own men to hoist it, and this must be done by porters.

125. Mr. Tierney.

Mr. *Tierney* examined.

1755. What would be your opinion of a general market, such as I have described?—I should be opposed to it, because the merchant would be obliged to trust to the honesty of the seller, in bringing back the empty sacks to have them tared, and it would also cause an obstruction to the farmer.

1756. What is there to prevent the merchant from taring the sacks at his own stores?—It might cause delay.

1757. Suppose you had a respectable person as weighmaster, would you take his docket as the exact weight?—I would.

1758. Does not the farmer suffer by reason of not using a less weight than seven pounds?—No, they generally weigh their corn and trim their sacks before they bring them into market.

1759. Would you be in favour of abolishing all deductions, weighing to a pound, and afterwards taring the sack, and deducting its exact weight from the gross weight of the corn?—I would.

125.
Mr. Tierney.

Mr. *Dillon* examined.

126.
Mr. Dillon.

1760. Can you suggest any thing in addition to what has been already stated?—The present system is very defective, and requires improvement. The weighmaster should be a respectable and responsible person. About nine months ago, I received a sack of corn, which weighed a stone less than it was returned, as entered upon the docket received at the market scales.

Mr. *Thomas J. Reed* examined.

127.
Mr. Thos. J. Reed.

1761. What is your occupation?—I am the inspector of weights and measures for this town.

1762. Can you suggest any thing in addition to what has been already stated?—With regard to the markets, persons have made complaints of frauds practised upon them, and various disputes have arisen upon the subject, but from the fear of trouble in obtaining justice, they would not resort to legal proceedings. I have known of cases in which a dispute arose between the seller and the buyer, where the price of the corn sold exceeded £5, and was brought before the magistrates, but was dismissed by them, as the amount for which the corn was sold exceeded their jurisdiction, although the amount about which the dispute arose was within it. I should suggest that the jurisdiction of the magistrates should be extended to all cases in which the amount in dispute did not exceed £5.

1763. Have you had many convictions for the use of improper or fraudulent weights?—No, I have had very few convictions this year, in comparison with the number I obtained last year. In a case which came before me last year in which the scales were not equally balanced; the owner of it was fined £3. I constantly find the merchants' weights slightly deficient, in consequence, I believe, of atmospheric influence and friction against other weights. In such cases I do not summon the parties, but I require them to get their weights adjusted. I have only had one complaint recently made to me of a party using improper weights, and upon that occasion I went to his place of business and examined his weights, but the deficiency was so trifling that I did not think it worth while to take any step, except to oblige him to get his weights adjusted.

1764. Can you suggest any thing further?—I have no power to look after the system adopted in selling bread, which is almost entirely sold by bulk and not by weight. I should suggest that all bread exposed for sale should have its weight marked upon it; and if, upon inspection, the loaf was lighter than the weight marked upon it, the seller should be fined. This system has been adopted in some places.

Mr. *John Murphy* examined.

128.
Mr. John Murphy.

1765. Can you suggest any improvement in the present system adopted in the sale of articles in the market?—I should suggest that there ought to be a market jury appointed in every town. If this suggestion were acted upon, it would be a very great advantage to all the inhabitants of this town.

1766. What allowance, or deductions are made in the sale of pork?—The weight to be deducted in weighing pork is left too much in the hands of the buyer. The general deduction made in weighing a pig is four pounds, being two pounds for beamage and two pounds for cleaning. If, however, there is a bruise upon the pig, the buyer will deduct what weight he likes, sometimes as much as six or seven pounds. This induces many farmers to bring their pigs alive to the market, instead of killing them, as they do in other places, to the very great injury of the pork market.

1767. What would be your opinion of a general market, such as I have described?—I would be in favour of it, as I think it would be a great advantage to the seller.

1768. Would you be in favour of abolishing all deductions and weighing to a pound, the buyer regulating his price accordingly?—I would.

Anthony O'Flaherty, esq., M.P. examined.

129.
A. O'Flaherty, esq., M.P.

1769. Can you offer any suggestion to us upon the present inquiry?—I may mention a case of buyers using improper weights, which I heard some time ago. A merchant requiring some additional weights, sent to another merchant to borrow them, and the reply he received from the lender was a request to know whether he required buying or selling weights. I consider this to be a most important inquiry, because the establishment of proper market-places, and more extensive accommodation, would induce a greater number of persons to resort to the town, and thereby considerably improve it. I should also strongly recommend the assimilation of weights and measures through the country, and the defining by legal enactment what should be considered reasonable tolls. With respect to fairs, I am of opinion that the owners of fairs should be compelled to afford sufficient accommodation in return for the tolls they receive, which, I think, should be paid upon the entrance of the cattle into the fair, instead of upon their going out, if sold. I do not think that fairs ought to be held on the highway or in the streets.

GALWAY,
20th October, 1852.

130.
Mr. O'Brien.

Mr. *O'Brien* examined.

1770. What is your occupation?—I am engaged in the butter trade.

1771. Explain the system of weighing butter?—I generally weigh the butter I purchase in Leonard's scales; I require the turn of the beam.

1772. What are the deductions made in weighing butter?—Four pounds for every firkin of seventy pounds, and the weight of the firkin besides.

1773. What are the charges made for weighing butter?—Two pence for every crock; I generally send the butter I buy to London.

1774. Is there an inspector of butter?—There is not, and one is much required; I inspect it for myself.

131.
Mr. Murray.

Mr. *Murray* examined.

1775. What is your occupation?—I am a corn merchant.

1776. Explain the system of weighing adopted in your stores?—I take the cast of the beam, but the scale need not touch the ground; the smallest weight I use is seven pounds.

1777. Does the farmer lose every thing less than seven pounds?—He does; the weight is either seven pounds or nothing.

1778. What deductions are made in weighing corn in your stores?—Seven pounds where the gross weight of the corn is under four hundred-weight, and fourteen pounds for any thing exceeding four hundred-weight.

1779. Would you be in favour of weighing corn like any other commodity, abolishing all deductions, and weighing to a pound, allowing the buyer to regulate his price accordingly?—I would.

1780. What are the charges usually made for porterage in your stores?—One halfpenny a sack for porterage and hoisting, all of which I give the porters; I do not retain any of it for myself.

1781. What do the men generally receive for porterage and hoisting in a day?—They seldom receive more than 2*s*. for each man employed.

1782. Would you be in favour of a general market, such as I have described?—I would not; I would prefer weighing corn in my own stores, for no system which could be adopted in a general market would be as convenient to me as weighing in my own stores; besides, what protection would you suggest against the sacks being changed in their transit from the market-place to the merchants' stores?

1783. Would not the imposition of a heavy penalty on the seller effectually prevent any attempt to practise such an imposition?—The farmer might deny that he had any participation in the change of the sacks, and great difficulty might be experienced in proving that he had anything to say to it. The corn jobbers are the persons who generally resort to this market.

1784. But if the accommodation in the market was increased, and the system I have alluded to established, do you not think that the farmers would themselves bring in their produce, and not entrust it to the jobbers?—It is very likely that they would do so, in preference to the present system.

GORT,
21st October, 1852.

132.
Mr. Patrick Burke.

GORT, OCTOBER 21, 1852.

Mr. *Patrick Burke* examined.

1785. What is your occupation?—I am in the office of the agent of Mr. Knox.

1786. Under what patent is the market held?—I cannot say; I heard there was a patent granting the right to hold markets, but I have never seen it. Mr. Knox, the present proprietor of the tolls of the market, has recently purchased them under a sale by the Commissioners for the sale of Incumbered Estates; in the schedule to the rental upon that occasion the tolls are valued at £200 a-year, and Mr. Knox gave £1,600 for them; I will show you the rental if you desire it. [*Mr. Burke handed in the rental subsequently.*]

1787. When was the market established?—I do not know; from time immemorial.

1788. Does the patent specify the tolls to be collected, or does it give a right to collect reasonable and accustomed tolls?—I cannot say.

1789. How do you know whether there is a patent or not, if you have never seen it?—I have always been of opinion that there was a patent in existence.

1790. Have you ever heard from Lord Gort that there was no patent?—I have not.

1791. How often is the market held, and what are the market days?—Once a week, upon every Saturday.

1792. Is that the day specified by the patent?—I cannot say.

1793. Are tolls paid in the market?—They are.

1794. Are tolls paid by the buyer or seller?—I do not know; I believe, sometimes by the buyer, and sometimes by the seller.

1795. Is there an enclosed market-place?—No; the agricultural produce is sold about the streets.

1796. What is the amount of tolls levied in the markets and fairs?—The tolls were leased at £200 per annum, but they have been recently reduced to £130 a-year by Mr. Knox, the purchaser.

1797. What accommodation is given to the public in return for the tolls?—The public beams and scales.

GORT,
21st October, 1852.

1798. Is there a weighmaster in the market?—There is.
1799. Is he sworn under the 4th Anne, c. 14?—I do not know.
1800. Is all the corn brought into the town sold in the public market?—It is not; a considerable quantity of it is brought direct to the merchants' stores, and is sold there.
1801. How many fairs are annually held in the town?—Four.
1802. Are tolls collected in the fairs?—They are; the tolls of the fairs, as well as those of the market, are leased to Mrs. Hines.
1803. Are tolls collected upon the cattle upon their entrance into the fair, or when they are coming out?—When they are coming out, if they are sold, the tolls are paid by the buyer.
1804. How does the toll-collector know whether the cattle are sold or not?—He administers an oath to the person in charge of the cattle, who is obliged to free them.

132.
Mr. Patrick Burke.

Mr. *Michael Keane* examined.

133.
Mr. Michael Keane.

1805. What is your occupation?—I am a shopkeeper, in this town, and I buy a good deal of corn in the market; I was weighmaster in the market for some time.
1806. Upon what day is the market held?—It is usually held upon Saturday: but it has been stated that it was not the day mentioned in the patent.
1807. Is all the agricultural produce brought into the town sold in the market?—It is not; the merchants frequently buy corn at their own stores.
1808. Is any charge made if the corn is not weighed in the public market?—I have heard that a charge is made, but I do not pay toll unless the corn is weighed in the market.
1809. What is the amount of toll charged upon corn in the market?—Three pence upon every barrel of oats consisting of fourteen stone; *3d.* upon every barrel of barley consisting of sixteen stone; *5d.* upon every barrel, of twenty stone, of wheat, and $2\frac{1}{2}d.$ on five stone.
1810. Is there any printed list of the tolls payable in the market; there is a toll-board, but I have never heard of any other list of the tolls.
1811. Do the collectors always adhere to the tolls upon the toll-board, or do they ever vary from it?—Frequently.
1812. Are tolls paid upon entering the market?—Not for corn.
1813. What are the tolls payable upon potatoes coming into the market?—One penny for every five stone, or *2d.* on every twenty stone.
1814. Have you to pay toll upon corn whether it is sold or not?—No.
1815. Is toll paid upon potatoes whether they are sold or not?—It is.
1816. Do they generally weigh standing beam or down weight?—Down weight; they require the scale in which the sack is to touch the ground.
1817. What is the smallest weight used in the market in weighing corn or potatoes?—Seven pounds.
1818. If the corn weighed seven pounds at standing beam would the seven pounds be thrown out?—It would.
1819. What deductions are made in weighing corn for beamage or other allowances?—Fourteen pounds for empty bag and beamage, if the sack does not exceed twenty-four stones, and twenty-one pounds if it is over twenty-four stones; and if the sack goes to four hundred-weight, two stone is deducted.
1820. What deductions are made for beamage or other allowances in weighing potatoes?—One stone, in all cases, for beamage and dirt.
1821. Do they require down weight in weighing potatoes?—They do; and they calculate potatoes at sixteen pounds to the stone.
1822. What weight does it take to bring the scales from standing beam to down weight?—Four pounds.
1823. What height are the scales from the ground?—About twelve inches.
1824. Does the weighmaster give a docket on each sale to the buyer or the seller?—No; the custom is to mark the weight of the corn or potatoes upon the seller's hat.
1825. Does the weighmaster keep any book in which he enters the quantity sold, average price, and amount, with the names of the buyer and seller?—He keeps a book, but I do not believe that he enters in it the average price or amount.
1826. Do you sell in this town by the barrel or by the stone?—Generally by the barrel, but sometimes by both.
1827. What is the weight of a barrel of wheat?—Twenty stone.
1828. What of oats?—Fourteen stone.
1829. What of barley?—Sixteen stone.
1830. What of potatoes?—Potatoes are always sold by the stone.
1831. Is a stone always calculated at fourteen pounds, avoirdupois?—It is, except in the case of potatoes and wool, which are calculated at sixteen pounds.
1832. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.
1833. Is butter sold in this market?—It is, in small quantities.
1834. Is it sold by weight or by lump?—By weight generally, but sometimes by bulk.
1835. What are the deductions in the nature of beamage or other allowances in weighing butter?—I cannot say, I believe four pounds for every crock.
1836. Is there sufficient market accommodation in this town?—If all the corn sold in the market was sold and weighed there, there would not; but there is sufficient for the quantity sold and weighed in it at present.
1837. How do you account for so few persons resorting to the market for the sale of

GORT, 21st October, 1852.

133. Mr. Michael Keane.

their agricultural produce?—I should say it is owing to the excessive allowances and illegal tolls in this town.

1838. Do you think the farmers are satisfied with the mode in which agricultural produce is weighed in this market?—They are not; they complain that they do not get sufficient weight for their produce.

1839. What was the state of the market during the time you were the weighmaster in this market?—It was very good.

1840. Is not the falling-off of the market attributable to the change of the times?—I think not entirely; it is in a great degree attributable to the system of weighing, and to the exaction of excessive tolls. In my time there were four beams and scales, and I gave the public an opportunity of taring the sack after the corn was emptied.

1841. Are any complaints made of the system of weighing adopted in the merchants' stores?—There are; it is said that they do not weigh fairly.

1842. Would you be in favour of a general market, such as I have described, in which all the agricultural produce brought into the town should be sold and weighed?—I would, most decidedly.

1843. Is toll ever exacted upon articles which are not to be found upon the toll-board?—Yes; I have known toll charged upon seaweed, eggs, and small quantities of butter.

1844. Would you be in favour of doing away with all deductions and allowances whatever, except the tare of the empty sack, weighing to a pound, and letting the buyer regulate his price accordingly?—I would; but it would be impossible to do so, from the present market accommodation; it would, however, be the fairest way of dealing.

1845. Would you be in favour of the assimilation of weights and measures all through the country?—I would.

1846. How many fairs are held in this town in a year?—Four. There is no fair-green, and the fairs are held in the streets of the town, and occasion very great inconvenience to the inhabitants.

1847. Are tolls paid upon the cattle when they are entering the fair?—No, they are paid upon them going out, if they are sold.

1848. How do the men at the gap ascertain whether the cattle are sold or not?—The man in charge of the cattle is asked whether the cattle are sold; if he says they are not, he is obliged to touch a piece of paper to clear them.

1849. Do you think that this practice leads to much perjury?—I do.

1850. Would it not be more satisfactory to oblige a proprietor to provide sufficient accommodation for all cattle, in an enclosed fair-green, and oblige all persons bringing their cattle into it to pay a small toll for the standing, whether the cattle were sold or not?—I think that would be an excellent arrangement.

1851. Do you think it would occasion inconvenience to any poor persons who might not have means of paying for their cattle when they were going into a fair?—No; for if the arrangement was made, they could easily procure the means of paying for their cattle.

1852. If such a practice were adopted, might not the present toll be diminished?—I think it might, very considerably; for nearly half the cattle brought into the fairs at present remain unsold.

1853. Is any pork sold in this town?—Yes.

1854. How is pork sold?—By the hundred-weight or pound.

1855. What are the deductions, in the nature of beamage or other allowances, made in weighing pork?—Four pounds are deducted from the weight of every pig, but sometimes, by private arrangement between the parties, six pounds are deducted.

1856. What is the system of weighing adopted in the market in weighing pork?—Standing beam is always taken.

1857. Do you think that sufficient room might be found in the town for the fairs and markets if the plans we have suggested were carried out?—I do.

1858. Can you suggest any improvement in the market system?—The lease ought to be on fairer terms. The lessee, or weighmaster, is obliged to charge exorbitant tolls at present to enable him to pay his rent.

1859. Would it be advisable to define by legal enactment what should be considered reasonable and proper toll?—I think it would.

134. Mr. Anthony Hines.

Mr. *Anthony Hines* examined.

1860. What is your occupation?—I am the weighmaster in the corn and potato market, and have been so for two years. I also keep a shop in this town.

1861. Do you collect the tolls at the crane in the corn-market?—I do.

1862. Who collects the market tolls?—A man employed for that purpose. I have nothing to say to it.

1863. Are any tolls collected in the market which do not appear upon the toll-board?—I am not aware of any; the persons selling articles not appearing on the toll-board, are charged for their standing in the market, and not for the articles they sell.

1864. Is toll charged upon corn if it is not sold?—It is; but potatoes are only charged a halfpenny per sack if they are not sold.

1865. Is all the corn sold in the town weighed in the market scales?—It is not; the greater part of it goes to the merchants' stores, and is weighed there. The merchant receives half toll on every sack he weighs, and accounts with me for it.

1866. If corn is not weighed in the market, do you charge for it?—If the corn is sold by bulk, or weighed at the merchants' stores, half toll on each sack only is charged.

1867. Is it not your general practice to charge the full amount of the toll, whether the corn is weighed at the market scales or not?—It is.

1868. Suppose a load of hay were sold, and not weighed, would you charge the full amount of toll?—I would.

1869. Then, in point of fact, you have converted the charges for weighing into a toll?—I have.

1870. Do you exact toll upon articles sold on any other day than the market-day?—I do.

1871. Do you exact toll upon articles coming into the town upon Sunday?—I do.

1872. Do you exact toll upon any articles which are not upon the toll-board?—I do not, except upon straw or hay.

1873. Do you, in levying toll, always adhere strictly to the tolls appearing upon the toll-board?—I do not.

1874. Does the toll of corn, which appears to be the one-sixtieth part, according to the schedule, vary with the price of it?—No; I always charge 5*d.* upon every barrel of wheat, 3*d.* for a barrel of oats or barley, and 2*d.* on a barrel of potatoes.

1875. Is the name of the toll-collector upon the toll-board?—It is not, and never was.

1876. Have you any charge upon corn but those you have mentioned?—Yes; I charge $\frac{1}{2}d.$ a stone upon all small draughts, up to two or three stone; $2\frac{1}{2}d.$, where the draught is five stone; but I charge only 5*d.* upon each barrel of wheat. In oats, if the draught be five stone, or under it, I charge 1*d.* for each draught, or 3*d.* upon each barrel of oats.

1877. How many men are employed in weighing?—Generally two.

1878. How many men are generally employed at the fairs to guard the gates?—Three.

1879. To what class do these men belong?—They are generally labouring men; but they are able to read and write.

1880. What are they paid for standing in the gates?—One shilling for each day.

1881. Do you give a docket on each sale of agricultural produce?—I do, if required to do so.

1882. What do you put upon such docket?—I put the buyer's and seller's names, together with the weight. [*Here a docket was put in the witness's hands, which did not contain the buyer's name.*]

1883. You perceive that that docket does not contain the buyer's name, how do you account for its omission?—I cannot do so.

1884. Do you keep a book?—I do. [*Hands in his book.*]

1885. If Government required you to give a return of the quantity sold, average price, or amount, for the past year, could you do so?—I could not.

1886. Suppose a person lost his docket, could you supply him with a duplicate of it?—I could not.

1887. You only give a docket if required?—I do.

1888. If you are not required to give a docket, do you make any entry of the quantity sold?—I do; I enter the weight of the sack upon the seller's hat.

1889. Did you ever know an instance of a man changing his hat?—I never heard of a single instance of his doing so.

1890. Is toll ever levied upon the same article twice in a day?—I am not aware of it.

1891. Suppose a country carpenter brought furniture into the town, would he not be charged toll upon it when he was passing the gate?—He would.

1892. Suppose he were to sell his furniture to several persons, would not the purchasers be charged toll upon it when they were going out of the gate?—They would.

1893. Is not that charging toll twice upon one day for the same article?—It is.

1894. Suppose a person brought in a cart-load of fish, and paid toll upon entering, and sold them, and the purchaser retailed them; would not the retailer be charged toll upon the fish, although they had previously paid toll?—The retailer would be charged for a standing in the market-place.

1895. What charges are made by you for standings?—One penny for small standings, and 3*d.* for large ones.

1896. Is not 2*d.* the charge upon the toll-board for a standing?—It is; but 3*d.* is sometimes charged.

1897. What is the highest price ever paid for a standing in the market?—I do not know.

1898. What is the highest price for a standing for a broguemaker?—I do not know.

1899. You are the head servant in the market, and can you not answer these questions?—I cannot; the other collectors pass their accounts with Mrs. Hines, who is not a relation of mine.

1900. Do not the other toll-collectors charge whatever toll they think fit?—I do not believe they charge more than legal tolls; they are respectable men, and would not do any thing which was not right.

1901. Is your system of weighing that which was described by Mr. Kane?—It is.

1902. Are complaints ever made of the system of weighing corn in your cranes?—I never heard of any.

1903. Do you collect tolls at the fairs?—I do.

1904. Do you ever stand in the gap?—I do.

1905. How do you discover, when the cattle are going out of the fair, whether they are sold or not?—I put a piece of paper in the hands of the person in charge of the cattle, and ask him whether he will clear the cattle: if he will not do so I exact the toll.

GORT, 21st *October*, 1852.

134. Mr. Anthony Hines.

1906. Does not such a practice make the obligation of an oath lightly regarded?—It is likely to do so, and I know that it is illegal.

1907. Has the lessee of the tolls any printed list of the tolls?—She has not, except the toll-board.

1908. How do you teach the collectors of the tolls in the fairs what tolls to collect?—They were in the employment of Mrs. Hines before I was.

1909. Do you receive the money from them?—I do not; I know nothing whatever about the charges they make. I have no control over them.

[*The following copy of the toll-board was transmitted to the Commissioners by the head-constable of police.*]

MEMORANDUM of the TOLLS and CUSTOMS charged on the following articles, at the FAIRS and MARKETS of GORT, viz. :—

	s.	d.
The sixtieth part of all grain and pulse.		
For every cow or ox slaughtered or sold,	0	4
„ Sheep slaughtered or sold,	0	1
„ Hog slaughtered or sold,	0	2
„ Load of potatoes,	0	1
„ Cask of butter above quarter of a hundred-weight	0	2
„ Smaller cask,	0	1
„ Standing,	0	2
„ Small standing,	0	1
„ Broguemaker's standing,	0	2
„ Pair of Stockings,	0	0¼
FAIRS.		
For every broguemaker's standing,	1	0
For each tent or booth,	1	0
„ Hatter's or covered stand,	1	0
„ Small standing,	0	4
„ Sheep,	0	1
For each Lamb,	0	1
„ Cow or bullock,	0	4
„ Horse,	0	6
„ Milch cow and calf,	0	6
„ Yearling calf,	0	2
„ Green hide,	0	1
„ Piece of Frieze of fifty bundles and upwards,	0	2
„ Smaller piece,	0	1
RATES OF CRANAGE.		
Each bag of wool,	0	3
„ Car-load of coal or other goods,	0	3
„ Draught under five hundred-weight and above two hundred-weight,	0	2
„ Sack of corn,	0	1
„ Cask of butter,	0	2
„ Load of potatoes,	0	1

135. John Mangan, esq.

John Mangan, esq., examined.

1910. What is your occupation?—I am a miller, residing within about three miles of this town.

1911. Do you buy largely in this town?—I do.

1912. Has Mr. Keane correctly described the system of weighing adopted in the merchants' stores in this neighbourhood?—He has.

1913. Do you require down weight?—I do.

1914. What is the smallest weight you use in weighing corn or potatoes?—Seven pounds.

1915. Explain the system of weighing adopted in your stores?—I always weigh the corn gross, deduct seven pounds for beamage for each barrel, together with the weight of the empty sacks.

1916. Do you make any charge for toll?—I used to do so, but the people will not pay me now except upon Saturday, when I charge 2½*d.* upon every barrel of wheat, which I give to Hines. I deduct that charge from the farmer.

1917. When did you commence making that charge?—During the time Kane was weighmaster he used to send down his men to my place to collect the toll, as I charged nothing, and to stop the farmer unless he paid it. Since Hines became the lessee of the tolls, Lord Gort sent for me, and upon his saying that one half the toll ought to be paid, I agreed to deduct it and keep the account for Hines. Upon one occasion a person of the name of O'Brien refused to pay this charge to Kane, and his sacks were taken off his cart. O'Brien summoned Kane; and he gave, I believe, a pound to settle the case. Lord Gort said to Kane, "The easier you get out of the case the better for us, as we might be all knocked up." Upon another occasion I bought wheat upon a Saturday from a person who brought it to my own stores. He refused to allow any deduction from the price for custom. We went down to have the question decided by the magistrates: he was called away from me; and he afterwards came up to me and told me that all had been settled. The one-half of the custom has ever since been paid at my mill upon Saturdays, but not upon any other day since.

1918. Do you ever charge 5*d.* on a barrel of wheat at your mill?—I do not; but there was 5*d.* paid always up to the time of the compromise which I have alluded to, and the charge is only 2½*d.* since. If the public were to resist the payment of it I would not insist upon it on any day but Saturday.

1919. Do you consider the tolls in this town reasonable?—I do not; I think they are excessive and exorbitant.

1920. Do you consider that the tolls are collected by proper persons?—I believe Hines a proper man, but the other collectors are certainly not proper persons.

1921. Do they collect tolls on articles which are not on the schedule?—There are several instances of their doing so, as in the case of coals.

1922. Have you ever heard of complaints having been made of the system of weighing in the market?—I have heard persons complain that they were not treated fairly. I have

known of persons buying corn in the market at 13½*d.*, and selling it at my stores for 13*d.* a stone, and having a large profit.

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135. John Mangan, esq.

1923. Are the craners supposed to lean to the buyer or to the seller?—To the buyer.

1924. Would you be in favour of the establishment of a general market, such as I have described?—I would; I think it would give general satisfaction to the public. I should like to see every market in the country worked on the same principles as Colonel Wyndham's markets, at Ennis, the arrangements in which give great satisfaction to both buyer and seller. I would be in favour of abolishing all deductions, except the tare of the sack, and leave the purchaser to regulate his price accordingly; it would be for the benefit of the farmer, and tend to simplify all market arrangements.

Thomas Boland, esq., examined.

136. Thomas Boland.

1925. What is your occupation?—I am an apothecary, in this town.

1926. You have heard the statements which have been made, do you concur in them?—In some of them I do, but I not think that the weighmaster's statement was consistent with truth. He stated that he did not know the amount charged for standings. He is the head clerk of the market, and it is clear that he was wrong in that statement.

1927. Do you conceive that tolls are charged which are not in the schedule?—Undoubtedly; this is well known through the town.

1928. Would you be in favour of a general market, such as I have described?—I would. I also think that the proprietor of a fair should provide a proper fair-green in return for the tolls he collects; that proper persons should be appointed to collect the tolls, and not handed over to such a class of persons as it is at present. They frequently come to my house, which is opposite the market-place, to get pieces of paper, upon which to swear parties going out of a fair in charge of cattle. Charges are also imposed which are not upon the toll-board, and a higher amount exacted than they are entitled to charge. The consequence of these proceedings is, that riots occur, and people constantly come to my establishment to get their wounds dressed. Within the last six months a riot took place in the fish market, in which two men were very severely beaten by the persons placed on the gap. The quarrel arose in this way. A man brought a cart-load of fish to the market, for which he paid toll; he placed two tables near his cart, and the men at the gap demanded toll for the tables he had placed some of the fish on, which he refused to pay. The toll-collectors attempted to compel him to pay by force, and the riot ensued. I believe, the toll-collectors, who acted in such an illegal manner, are still in the employment of Mrs. Hines. The tolls are most illegally exacted, and coarsely insisted upon. Women are subjected to the greatest maltreatment, their persons examined in a most indelicate manner, to ascertain whether any small articles, such as eggs or butter, are concealed under their clothes. The excessive tolls and the system of imposition practised in this market, together with the impossibility of obtaining justice at the petty sessions court, the unwillingness of parties, since Mr. Hines's death, which occurred very recently, to harass Mrs. Hines, has induced persons to submit to it, or send, as they generally do, their corn to Ennis market. I hope something will be speedily done to correct the abuses complained of; and I am much afraid, from the evidence which has been given to-day, that it will lead to serious riots.—[*Witness subsequently forwarded to the Commissioners the accompanying statement.*]

To the Market Commissioners.

GENTLEMEN,

At your request I send you the following particulars:—The names of articles on which custom is charged, and other abuses which were not mentioned at the inquiry in the Gort court-house, relative to the custom of our town.

Kids,
Small rods, in bundles,
Shell-fish, of different sorts,
Sea-weed, as a manure,
Wood-ashes,
Rushes,
Brooms,
Fruit, viz., apples, pears, and all other sorts,
Tin-ware,
Iron spades, and all other sorts of iron tools used in agriculture,
Old clothes, and new articles of dress worn by farmers,
Grass, in bundles,
Rape-seed,
Hay-seed,
Peas and beans,
Flax-seed,
Parsnip and cabbage seeds,
Cabbage plants, and mangel-wurzel,
Bread, India meal, confectionary,
Oatmeal and flour,
Delft ware and earthenware,
Baskets, intended for farm labour, and sieves,
Vetches, and many other small articles.

And mark—horses and other cattle sold by public auction by a licensed auctioneer, either on the market-square or in the pound, are made to pay, horses 1*s.* each; other cattle, a lesser sum.

Communicated to me, by MR. FESTUS KELLY, Auctioneer.

Mr. Michael Keane, the gentleman whose evidence you have already taken, wishes to state the following fact to which he was an eye-witness:—A bag of wheat is put into the scale, when about being weighed, 1½ stone or so of potatoes were thrown into the same scale; when they were weighed, in a hasty manner, a bag of oats or barley was thrown in; and before sufficient time was given, a quarter of beef was thrown in; and before the beef was properly weighed, a few fleeces of wool were thrown

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136. Thomas Boland.

in, neither of which was weighed properly. A pound of corn is value for scarce 1*d.*, when beef is worth 4*d.* per pound, wool, 1*s.* 1*d.* per pound. Justice cannot be done by this hasty and hurried indiscriminate method of weighing.

One year ago I bought hay beyond Ennis, weighed it in my own yard, with Mr. Bianconi's scales and weights, and for his use, yet custom was demanded, and obliged to be paid. Amount of custom 5*s.* The hay never came into the market-square.

There are many other cases of great and serious injustice mentioned to me, but it would take too much of your time to go over all the cases that could be brought forward. The above-named Mr. Keane, is a respectable, intelligent man, and what he states may be taken as strict evidence. With best respects for your kind and persevering gentlemanly inquiry, I am yours, respectfully,

THOMAS BOLAND, L.A.D.

137. John Gantley.

John Gantley examined.

1929. What is your occupation?—I am a seller of fish in this market.

1930. What do you wish to state to us?—I brought a cart-load of fish into the market some time ago, and paid 3*d.* toll upon it. I placed two tables before my cart for the purpose of selling my fish, and the toll-collector came to me and told me I must pay 1*d.* more for each of the tables. I told him I would not do so, as I had already paid toll for the cart. He went away and brought back Anthony Hines, who said I must pay the 2*d.* I refused again to pay it, and the man who first came up attempted to seize some of my fish, I tried to prevent him, and he struck me with his stick. I was very severely beaten.

138. Bridget O'Dea.

Bridget O'Dea examined.

1931. What is your occupation?—I sell fish in the market.

1932. Have you any complaint to make against the toll-collectors?—Yes. I put two old butts of herrings together to sell; the toll-collector, a man named Fahy, came up and told me I must pay 2*d.* toll. I refused to do so, as I had paid him before. Fahy attempted to take some of my fish, and I tried to stop him, when Hines struck me on the arm and very nearly broke it. I have not been able to make use of it since. I am certain that he struck me before I struck him.

139. Patrick Kennedy.

Patrick Kennedy examined.

1933. What is your occupation?—I am a broguemaker.

1934. What complaint have you to make against the toll-collectors?—When I leave home with a bundle of brogues, the toll-collector, if I do not at once pay him, seizes my brogues. This frequently occurs, though my brogues are not sold. He charges 2*d.* every fair-day.

140. Mr. John Coffey.

Mr. *John Coffey* examined.

1935. Have you any complaints against the toll-collector?—I have. Yesterday, a man with some skins on his back was obliged to pay toll for them, though they are not on the toll-board. If I brought four pottles of sour milk to town to sell, he would charge 1*d.* for each pottle of it.

141. Mr. Patrick Glynn.

Mr. *Patrick Glynn* examined.

1936. What is your occupation?—I am a hotel-keeper, in this town.

1937. Can you offer any suggestions in addition to what has already been stated?—I can. Charges for toll and weighing are levied upon corn whether it is sold in the town or not, and the toll-collectors exact the toll by force. A woman came into my shop with a small quantity of butter the other day, some of my family purchased a pound of it. Hines came into the shop and demanded toll from her; he took hold of her cloak and said, "You must pay the custom: you escaped me the other day, but I have caught you now." She did not sell more than one pound, and he charged her $\frac{1}{2}d.$ toll. The violence with which the toll is collected is also very objectionable, and no justice could be obtained whilst Lord Gort was on the bench. If a case came before the magistrates at petty sessions, he would only fine the person charged one shilling. Upon one occasion, I refused to pay the half custom to Mr. Mangan. He insisted upon my paying it, and I did so; but I processed him for the amount; but I found I was late for the sessions, so I did not proceed with it. The tolls were once let at £30 a-year.

142. Patrick Hare.

Patrick Hare examined.

1938. What is your occupation?—I am a labouring man. I was a toll-collector for three years.

1939. Can you read?—I can.

1940. Did you collect tolls on the gaps at the fairs?—I did; I was the servant boy at Mrs. Hines', and I used to be sent out to collect tolls.

1941 Did you ever collect tolls, which were not on the toll-board?—I did.

1942. Are tolls ever collected on the same article twice over on the same day?—Yes, I have known it done on both furniture and brogues.

1943. Suppose a person refused to pay, what would you do?—I would seize the articles he had for sale; I was desired to do so, and I was obliged to obey my orders, or I should have been dismissed by Mr. Hines.

1944. Had you any list of the tolls you were to charge?—I had not.

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142.
Patrick Hare.

1945. Were you very particular as to the amount of toll you levied on each article?—I was not.

1946. You had no written or printed list of the tolls?—I had not, I went mostly by guess-work.

1947. If you were in doubt, would you take more or less than you were entitled to?—I would take more.

1948. Have you ever tendered an oath at a fair?—I have, but I was obliged to do so.

1949. Did people pay the toll at once?—They generally did.

1950. Did you generally carry a stick, when you were in the gap?—I did; I wanted one for the cattle.

143.
M. Chamberlaine.

Martin Chamberlaine examined.

1951. Have you any complaint against the toll-collectors?—I have. A man I knew sold a calf for a 1*s.*, and he was obliged to pay 2*d.* for toll. The cattle are very much injured in going into and coming out of the fairs and markets under the present system.

144.
James Lahiff, esq. J.P.

James Lahiff, esq., J.P., examined.

1952. Can you suggest any thing in addition to what has already been stated?—I am the proprietor of the market-place. Mr. Knox has only purchased the right to levy the tolls. Cases have frequently been brought before the magistrates at petty sessions of riots arising out of the system adopted in the market.

145.
Mr. Anthony Hines.

Mr. *Anthony Hines* re-examined.

1953. You have heard the statement which has been made respecting the riot which occurred, in consequence of a fishmonger placing tables before his cart: is the charge true?—The charge was made, and the case went before the magistrates, who dismissed the case. The tables were a long way from the cart, and two different persons selling the fish. I had nothing to say to those matters. I do not think a person would be charged for a standing, if they placed a table at their cart for the sale of their articles.

1954. Are the men engaged in that transaction still in the employment of Mrs. Hines?—They are.

1955. You have heard the statement as to the rough manner in which women are treated: is that the fact?—It is not. Their cloaks will sometimes be raised to ascertain whether they have any thing under them.

1956. What do you say with respect to the charge made against you of having struck Bridget O'Dea, and injured her arm?—She struck me first, and, with her daughter, was resisting the payment of the toll; and I admit I struck her with the hoop of the cask, in which the herrings were; but her arm was not seriously injured.

1957. What do you say to the statement of Patrick Hare?—I think that a great deal of what he says is true.

LOUGHREA,
22nd October, 1852.

Loughrea, October 22, 1852.

146.
Thos. Macklin, esq.

Thomas Macklin, esq., examined.

1958. Where do you reside?—In this town; I am one of the Town Commissioners.

1959. Under what patent is the market held?—We have never seen the patent, and I have no idea of the date of it.

1960. When was the market established?—From time immemorial, but an alteration has recently been made in the tolls which are levied.

1961. Does the patent specify the amount of the tolls to be levied, or does it merely give a right to levy the usual and accustomed tolls?—I do not know: I have endeavoured upon various occasions to see the patent, but I have never been able to do so.

1962. How often is the market held, and what are the market days?—Once a week, upon every Thursday; but on Saturday there is a meat market.

1963. Does the patent specify Thursday as the market day?—I do not know.

1964. Who is the owner of the market?—The Marquess of Clanricarde.

1965. Are tolls paid in the market?—They are; and impositions have been practised by levying toll upon articles not upon the toll-board, such as eggs, fowl, and small quantities of butter, or rushes and brooms. I have seen the toll-collectors taking handfuls of eggs and other articles from poor persons refusing to pay toll.

1966. Have you ever seen the schedule lodged with the clerk of the peace of this county, pursuant to the act?—I have not; I have remonstrated with the toll-collector for exacting certain tolls, and he said that if he did not do so he would be dismissed.

1967. Does Lord Clanricarde collect the toll himself?—No, he leased them to a Mr. Dolphin for three lives, one of which is still in existence. A receiver has been appointed over the interest of lessee, and the tolls are put up every year in the master's office, for sale to the highest bidder.

1968. Are tolls paid by the buyer or the seller in the market?—By the seller.

1969. Are tolls in the fairs paid by the buyer or seller?—By the buyer on all cattle.

1970. Is there an enclosed market-place?—No, there is a square in the street which serves as a market-place, but corn and potatoes are sold through the streets of the town.

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146.

Thos. Macklin, esq.

1971. Is the sale of agricultural produce confined to the market square?—It is not; but, as a general rule, the corn goes to one place, and the potatoes to another.

1972. Has a weighmaster been appointed in the market?—No; different persons act upon each day.

1973. Have a sufficient number of beams, weights, and scales, been provided for the market?—Yes.

1974. Has a weighmaster been sworn under the 4th Anne, c. 14?—No.

1975. Is all the agricultural produce sold in the market weighed in the market scales?—Whatever corn is bought in the market is weighed in the market scales.

1976. Suppose a person was to buy corn or potatoes in the market, and take it out of the market without weighing, would he have to pay any thing?—He would.

1977. What are the charges made for weighing?—One penny for every draught under twelve stone, and 2*d.* for every draught exceeding it.

1978. What are the charges on potatoes?—Two pence per sack on every draught from twelve stone to twenty stone.

1979. Explain the system of weighing adopted in the market?—I was present at the weighing of a sack of potatoes yesterday, the sack weighed thirty-two stone to the ground, and but thirty stone and a-half was allowed. If justice had been done to him, he ought, in my opinion, to have been paid for thirty-one stone and a-half.

1980. How many pounds would it take to bring the scale from standing beam to down weight?—I should say, about four pounds.

1981. What height are the scales from the ground, at standing beam?—About nine inches.

1982. Then, in the case to which you have alluded, the gross weight was about thirty-two stone four pounds.

1983. What is the smallest weight used in weighing?—Seven pounds.

1984. If the gross weight is less than seven pounds, it is thrown out?—It is either seven pounds or nothing.

1985. What deductions in the nature of beamage or other allowances are made in weighing?—One stone is allowed for beamage, and the weight of the empty sack, where the gross weight of the corn does not exceed four hundred weight, and one stone and a-half where it does.

1986. Does the weighmaster keep a book, in which he enters the quantity sold, average price and amount?—There is only an account of the number of sacks sold.

1987. Does the weighmaster give any docket to the buyer or seller?—If required, he does; but if not, he marks the weight of the corn with chalk upon the seller's hat, and which he keeps until he receives the toll.

1988. When the weighmaster gives a docket, does he keep any copy of it?—He does not.

1989. If the seller lost his docket, could the weighmaster give a copy it?—He could not.

1990. Do you sell by the barrel in this town?—We do.

1991. What is the weight of a barrel of wheat?—Twenty stone.

1992. What of oats?—Fourteen stone.

1993. What of barley?—Sixteen stone.

1994. What of potatoes?—Forty stone, but potatoes are generally sold by the stone, which is calculated at sixteen pounds. Yesterday I saw a boy weighing a sack of potatoes, which weighed twelve stone down to the ground, and he was only paid for ten stone and a-half.

1995. Is a stone always calculated at fourteen pounds, avoirdupois?—It is, except in the case of potatoes and wool, which are calculated at sixteen pounds to the stone.

1996. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does, except in the above cases.

1997. What deductions are made in weighing wool?—We take standing beam, weigh with a pound, and deduct four pounds for beamage on every pack. Tret is usually a matter of arrangement between the buyer and seller, I believe one-fortieth, or eight pounds out of every twenty stone, is generally the allowance.

1998. What are the charges for weighing wool?—Three pence or 4*d.*, I believe, upon each bag.

1999. Is butter sold in this town?—It is, but it is sold in very small quantities.

2000. What quantity of corn is sold on a market day?—I cannot tell.

2001. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the produce brought into the town should be weighed and sold?—I would be decidedly in favour of such a market.

2002. Do you not think corn should be weighed like any other commodity, abolishing all deductions or allowances, and afterwards taring the sack, and deducting its exact weight from the gross weight of the corn, allowing the purchaser to regulate his price accordingly?—I would; I think such would be a very beneficial arrangement.

2003. Would you be in favour of an assimilation of weights and measures all through the country?—I would; there is a great confusion as the matter rests at present.

2004. Do you think that the people give a higher price for corn in markets where the deductions and allowances are large, than where they are small?—I do not think they do; they take the amount of the deductions or allowances very little into consideration in making their bargains. If a person bought corn here, and brought it to Ballinasloe, he would make by reason of the deductions. I have known instances of this having been done. A market has been recently established at Kiltive, to which the people of this neighbourhood give a preference, in consequence of the deductions being less in amount.

146.

Thos. Macklin, esq.

2005. What accommodation is given in this town in return for the tolls?—None.

2006. How are the tolls applied?—The tenant pays Lord Clanricarde his rent, and no value in return is given to the townspeople. It would be a great improvement if the Town Commissioners had the application of the tolls.

2007. How many fairs are held in the town in a year?—Four; upon 2nd May, 1st December, 1st August, and 1st February.

2008. Is there an enclosed fair-green?—There is a large fair-green, which is partially enclosed; but in winter time it is almost impossible to stand in it without injury to yourself and your cattle.

2009. Are tolls collected when the cattle are going into or coming out of the fair?—When they are going out, if the cattle are sold.

2010. How is it ascertained whether the cattle are sold or not?—The person at the toll-gap tenders an oath to the person in charge of the cattle, in case the cattle are not sold. If he objects to clear the cattle in this way, he is obliged to pay toll. This proceeding is considered by the people as equivalent to an oath.

2011. Would it not be better to oblige the proprietor to give a commodious and enclosed fair-green, in which all the cattle should be sold, and obliged to pay a smaller toll than they do at present when entering it?—If the charge was a fair one, I think it would be a good plan, and no person would object to pay a small toll upon their entrance into the fair-green, for the standing of their cattle, instead of the present system.

2012. Are many of the fairs in this neighbourhood held upon the public roads?—Yes; and tolls are collected on them just as if a commodious fair green was given. I think that every proprietor should be compelled to provide a proper, commodious, and enclosed fair-green.

2013. Have you ever heard any complaints made of the manner in which tolls are collected?—I have. Tolls are collected upon articles which are not upon the toll-board; women are subjected to very coarse treatment, to ascertain whether they have any small articles, such as butter or eggs, concealed under their clothes, and their handkerchiefs or aprons are taken as pledges from the poor people coming into the town to secure the payment of the tolls.

2014. What class of persons are generally selected to collect tolls?—Some of them, I must say, are very respectable men; but they should not be allowed to administer oaths to persons leaving the gaps at fairs.

2015. Has the right to levy tolls which are not upon the toll-board ever been questioned before the magistrates?—Yes, and it was decided that they had no right to do so; but the people would rather submit to the imposition than go to the trouble and expense of legal proceedings.

2016. Is the toll-collector's name upon the toll-board?—It is not. There ought to be a new toll-board, as the old one is very much defaced.

2017. Do the farmers think that they are fairly dealt with in this market?—I heard a person say he would not bring his corn to it, as he lost a great deal in consequence of the heavy deductions which were made here. The system of weighing is however, I believe, very fairly conducted; but there are persons at the cranes connected with the forestallers, and lean in their favour. Forestalling is a great injury to the town, as the forestallers frequently use deficient weights and measures.

2018. Is there an inspector of weights and measures?—There is. When he detects persons using deficient weights he proceeds against them.

2019. How is bread sold?—By the loaf. I think bread should always be sold by weight. I have weighed a loaf I purchased, and found it three-quarters of a pound deficient in a four-pound loaf. The price might vary, but the weight should not.

2020. Can you suggest any thing more in addition to what you have already stated?—There is no charge upon the toll-board for fish, and yet I have seen the collectors taking herrings out of the carts of the fish jobbers in lieu of toll. I have also known tolls to have been exacted on other days in the week than the market-day. A meat market is very much required. A weigh-bridge is also much wanted. There are two beams for oats, one for potatoes, and one for barley and wheat. The Linen Hall was formerly used as a market-house, but it has been latterly converted to other purposes.

Pierce H. Dolphin, esq., examined.

147.

P. H. Dolphin, esq.

Pierce H. Dolphin, esq., stated—I am the purchaser of the tolls of this town for the present year. Lord Clanricarde demised the tolls for three lives, one of which is still in existence, at a rent of £120 per annum. A receiver has been appointed over the lessee's interest, and the tolls are set up every year to auction by the master. Upon the last occasion they were put up I purchased them for £250 per annum, and I am obliged to pay my proportion of the poor rates.

2021. Have you ever seen the patent under which the market is held?—I have not.

2022. Do you concur in the statements which have been made by Mr. Macklin?—I do not. The tolls are fixed by the schedule, and none are exacted which I am not entitled to levy.

2023. Are tolls levied upon articles which are not on the toll-board?—I believe they are. A case was brought before the resident magistrate, but was dismissed by him on the ground of some informality.

2024. Who is the person employed as the collector of tolls?—Denis Daly. He is here.

2025. Is it true that your collectors treat women in the way that has been described,

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147.

P. H. Dolphin, esq.

and compel them when entering the market to give pledges for the payment of the toll?—It is not. People constantly conceal articles liable to toll under their cloaks; and the collector, if he suspects they have any, looks under their cloaks, but does not examine them in the manner described. If pledges are given they are always returned to the owner when they have paid the toll and are leaving the market.

2026. Is it true that the fair-green is in such an exposed situation?—It is not. There is not a better fair-green in the country, and it is partly enclosed, although not upon all sides. It is sufficiently large and commodious for the sale of all the cattle brought into it.

2027. Do you not think that the present system of administering oaths to the person in charge of the cattle, when he is leaving the fair, is a bad one?—I do, as a general rule.

2028. Would you be in favour of compelling the proprietor of the fair to provide a sufficiently large and commodious fair-green for all the cattle brought into it, and imposing a small toll for the standing of all cattle at their entrance, instead of when they were leaving it, if sold?—I would.

2029. Would you be in favour of the assimilation of weights and measures all through the country?—I would.

2030. Will you give us a copy of your toll-board?—[*Witness handed in the following list of tolls*]:—

SCHEDULE of the TOLLS and CUSTOMS of the TOWN of LOUGHREA.

	s.	d.
Wheat, per barrel, of 20 stone,	0	6
Oat and barley meal, per bag, of 20 stone,	0	8
Oats, per barrel or bag,	0	2
Oyster-men, for hawking and selling oysters,	0	5
Lemon and orange men, for hawking, &c.,	0	2
Fish-joulters, hawking, &c.,	0	2
Cheese-men selling cheese,	0	4
Standing at market,	0	2
Timber-men, with cars,	0	4
Horses with back-loads,	0	2
Crockery-men with crockery,	0	4
Broguemakers standing with brogues at market,	0	2
Peas, per 20 stone,	0	8
Bacon, per hog,	0	2
Cranage,	0	1
Scollops, per car-load,	0	4
„ per horse or back-load,	0	2
Hurdles and kishes, per car-load,	0	4
Retailing wool, per bag,	0	4
Roots, per car-load, of all kinds,	0	4
„ per horse-load,	0	2
Hides,	0	1
Horse-skins,	0	1
Skippers and runners,	0	1
Potatoes, per sack,	0	2
Coal-men with coals, per sack,	0	1
Camblet-men selling cambles,	0	3
Butchers, for every cow, bullock, or heifer,	0	4
For every pig,	0	2
For every sheep,	0	1
For every calf,	0	1
Friezes, flannels, blanketing, and measurement, per piece,	0	2
Custom, only,	0	1
Buyers of flannels, friezes, and blanketing, per car-load,	0	6
For every horse-load,	0	4
Bandling, per piece,	0	1
Coarse sacking, per do.,	0	1
Cask and butter cranage,	0	3
Potters with black pots,	0	4
Stocking-men walking through the market,	0	1
Hawkers walking through the market with boxes,	0	1
Potatoes, per basket,	0	1

	s.	d.
Apples, pears, and plums, per car-load,	0	6
„ „ „ per horse or basket-load,	0	3
Ashes for bleachers and soap-boilers, per bag,	0	2
Huxters, per week,	0	2
Milch cows,	0	5
One year old calves,	0	2
Horses,	0	4
Mules,	0	4
Horses or back-loads of timber,	0	4
Potters with black pots, of car-loads,	0	10
Timber-men with cars,	0	8
Crockery-men with crocks,	0	8
Standings with boards across,	0	6
Covered do.,	0	6
Hawkers, of every description,	0	4
Hawkers hawking,	0	2
Strangers selling fish on cars,	0	4
Huxters „	0	4
Retailing wool, per bag,	0	8
Fish-joulters, hawking,	0	4
Stocking-men walking through the market,	0	2
Broguemakers at market,	0	6
Sole-men, with soles at market,	0	2
Potatoes, per horse-load of two baskets,	0	2
Young pigs in kishes, each,	0	0½
Small cars,	0	1
Veal calves,	0	2
Plants, per car-load,	0	4
Plants, per horse-load,	0	2
Coals, per car-load,	0	3
Hay, „	0	3
Straw, „	0	3
Malt, per barrel,	0	3
Poulter-flower, of two hundred-weight, being deemed equal to 20 stone wheat,	0	6
Sheep,	0	1
Ewes and lambs,	0	1½
Single sheep or calf-skins, each,	0	1
Calf-skins, per load (and so on proportionate), and lamb and kid-skins, per dozen,	0	1
Butter or lard, in rolls, bowls, or dishes, &c., weight two pounds,	0	0½
Butter, exceeding three pounds,	0	1
„ four „	0	2

I certify, to the best of my knowledge and belief, that the foregoing is a true copy of the Schedule of Tolls and Customs, as taken by me from the board suspended at the potato-market.

RICHARD M'ELROY, *Acting-Constable.*

Loughrea, 23rd October, 1852.

I certify that the above is a true copy of the schedule referred to.

A. WALKER, *Sub-Inspector.*

LOUGHREA,
22nd October, 1852.

Denis Daly examined.

148.
Denis Daly.

2031. What is your occupation?—I am toll-collector to Mr. Dolphin, and I am also the weighmaster at the corn and potato cranes.

2032. You have heard the deductions stated to be taken in weighing from the gross weight of the corn; were they correctly stated?—They were. I generally give a cast of the beam, and sometimes the scale will touch the ground; but I do not always require that it should do so. The smallest weight I use is seven pounds.

2033. If the gross weight of the corn was seven pounds, at standing beam, would you throw it out?—I would; but I sometimes give and take.

2034. What weight would it take to bring your scales from standing beam to down weight?—About three pounds.

2035. What deductions in the nature of beamage, or other allowances, are made in weighing?—Seven pounds for beamage, and seven pounds for empty sack up to fourteen stone, and twenty-one pounds if it is over fourteen stone.

2036. What deductions, in the nature of beamage, or other allowances, are made in weighing potatoes?—One stone for sack and dirt; sometimes one and a-half stone where the sack is very heavy. There is no beamage allowed in weighing potatoes.

2037. Do you weigh wool in your scales?—I do.

2038. What are the deductions, in the nature of beamage, or other allowances, in weighing wool?—Three pounds for beamage where the pack is under three hundred-weight; four pounds if it exceeds it. For tret, eight pounds out of every twenty stone, or one-fortieth part.

2039. What are the deductions in weighing butter?—Four pounds out of every hundred-weight.

2040. What are the charges made for weighing oats in the market scales?—One penny where the bag of corn is under ten stone; 1½*d.* where it does not exceed thirteen stone; and 2*d.* where it is fourteen stone, or upwards.

2041. What are the charges made for weighing wheat in the market scales?—Three pence for each barrel; the charge is 8*d.* on the toll-board.

2042. What are the charges for weighing oatmeal?—One penny for every hundred-weight.

2043. What is the charge for weighing butter?—Two pence for every crock; I have no list of my charges for weighing, but they are all charged at a higher rate upon the toll-board.

2044. Do you charge for any article which is not upon the toll-board?—I believe for nothing but eggs, hay, and straw; with respect to butter, large draughts of butter were always on the toll-board, but small ones were not, and a change was made on the toll-board by introducing upon it a charge of ½*d.* for small draughts of butter.

2045. Do you ever charge toll upon an article when it is coming into the market?—I do not, except in the case of flannel; but if the person retailing it does not sell it, he may bring it again into the market without paying any thing for it.

2046. Did you ever know of a charge being exacted upon fish going through the town, without its having been sold?—I did not.

2047. Do you give a docket to the buyer or seller of the quantity, price, and amount?—I do not; I sometimes give a docket of the weight if required.

2048. Do you keep a book in which you enter the above particulars?—I do not; I only keep a book for the purpose of giving dockets.

2049. If Government required you to furnish them with a statistical account of the various articles, average price, and amount, for the last year, could you do so?—I could not.

2050. Do you collect tolls upon any but the market-day?—I do; tolls are collected upon every day in the week.

2051. How often do you get your scales adjusted?—Four times a-year.

2052. Have you ever heard of complaints being made of the system of weighing adopted in the merchants' stores?—I have not.

2053. Are you in the habit of tendering oaths to persons leaving a fair, to ascertain whether the cattle, of which they are in charge, are sold or not?—I do; I make the person wishing to clear the cattle lay his hand upon a paper placed at the gap.

2054. Do you think such a practice leads to much perjury?—I do not know; some of the people would evade the toll if they could.

2055. What is the greatest quantity of corn sold in a day?—I do not know.

2056. What do you say to the charge against you of searching women, and exacting pledges from them when they are entering the market, to secure the payment of the toll?—I only look under their cloaks to see if they have any butter or eggs concealed, and the pledges are always returned when they are leaving the market, and pay the toll.

Mr. *Hare* examined.

149.
Mr. Hare.

2057. What is your occupation?—I am the inspector of the watch in this town.

2058. Can you add any thing to the statements which have been made?—A respectable farmer told me yesterday that a toll-collector, of the name of White, demanded toll from him three days upon fowl which had been in the market, and had not been sold; he exposed them for sale upon three days, but was not able to dispose of them, and yet he was obliged to pay toll upon each occasion.

BALLINASLOE, *23rd October*, 1852.

150.

Wm. H. Burke, esq.

BALLINASLOE, OCTOBER 23, 1852.

William H. Burke, esq., examined.

2059. Where do you reside?—About five miles from this town.

2060. What is your occupation?—I am the manager and collector of the tolls to Lord Clancarty.

2061. Under what patent is the market held?—The patent for holding the market upon every Saturday is a very old one, but a new one has been obtained, in 1840, for holding a market upon every Wednesday.

2062. When was the market established?—I do not know; from time immemorial.

2063. How often is the market held, and what are the market-days?—Twice a week, upon every Wednesday and Saturday.

2064. Who is the present proprietor of the market?—The Earl of Clancarty.

2065. Are tolls paid in the market?—They are, upon such articles as are sold, but not otherwise.

2066. Give a return of all the articles upon which toll is charged, specifying the amount.—[*The witness handed in the following list*]:—

	s.	d.		s.	d.
Cows, of three years old,	0	4	Corn, for every sack under fifteen and above eight stone,	0	1
Heifers, of two ditto,	0	3	Corn, for every sack under eight stone,	0	0½
Calves, of one ditto,	0	1	Hay, per load,	0	2
Calves,	0	1	Straw, per load,	0	2
Horses,	0	4	Standings,	0	1
Pigs,	0	1	Cart-load of fowl,	0	2
Sheep,	0	1	Every pack of wool,	0	4
Lambs,	0	0½	Every poke of ditto,	0	2
Corn, for every sack above fifteen stone,	0	2			

2067. Are tolls paid by the buyer or seller?—By the buyer, in all cases, both in the fairs and markets?—There is no charge upon cattle and articles not sold.

2068. Is there an enclosed market-place?—No, but there is an open square in which the market is generally held.

2069. Is the sale of all agricultural produce confined to that place?—It is not; a great quantity of it is sold about the streets of the town.

2070. Do you collect the tolls upon any day but Wednesdays and Saturdays?—No; if corn is bought upon any other day it is exempt from toll; on market-days all corn is supposed to be brought into the market-place for sale, but the payment is evaded as much as possible.

2071. Has a weighmaster been appointed in the market?—He has.

2072. Have a sufficient number of beams, weights, and scales, been provided for the market?—Yes.

2073. Has the weighmaster been sworn under the 4th Anne, c. 14?—No.

2074. Is all the agricultural produce sold in the town weighed in the market scales?—It is not; the greatest portion of it is weighed in the merchants' stores.

2075. What is the charge in the market for weighing corn?—One penny per sack, irrespective of its weight.

2076. What is the charge for weighing potatoes?—Potatoes are weighed free, but they pay toll if sold.

2077. Is a charge made for weighing corn whether it is weighed in the market or not?—No; there is no charge for weighing if the corn is weighed at the merchants' stores.

2078. In weighing corn in the market scales do you take standing beam?—No, we give a cast, but the sack need not touch the ground.

2079. What is the smallest weight used in weighing at the market scales?—Seven pounds.

2080. If the gross weight of the corn was seven pounds at standing beam, would the seven pounds be thrown out?—It would; it is either seven pounds or nothing; but we generally give and take.

2081. What deductions, in the nature of beamage or other allowances, are made in weighing?—No deduction is made for beamage, but we deduct seven pounds for the weight of the empty sack. Sometimes, on wet days, we tare the sack and deduct its exact weight from the gross weight of the corn.

2082. Are the same deductions made in weighing potatoes?—Yes.

2083. Does the weighmaster keep a book, in which he enters the quantity of corn sold, price, and amount?—He does not; but he gives me a return of the number of sacks weighed.

2084. Does the weighmaster give any docket to the seller, containing the weight, price, and names of the buyer and seller?—No; the buyer is generally present when the corn is weighed, and if not, the weighmaster marks the quantity with chalk on the seller's hat. The parties frequently get it marked on the leaf of the hat, in order that the toll-collector may not see it when they are going out of the market, and thereby evade the payment of the toll.

2085. Do you ever exact toll upon any article which is not specified on the toll-board?—I do not; I strictly adhere to the toll-board.

150.

Wm. H. Burke, esq.

2086. If Government required a statistical return of the quantity of corn sold last year, with the average price and amount, could the weighmaster furnish it?—He could not.

2087. Do you sell corn by the barrel?—We do.

2088. What is the weight of a barrel of wheat?—Twenty stone.

2089. What of oats?—Fourteen stone.

2090. What of barley?—Sixteen stone.

2091. What ot potatoes?—Six hundred-weight, or forty-eight stone.

2092. Does a stone always consist of fourteen pounds, avoirdupois?—It does, except in the case of wool, which consists of sixteen pounds.

2093. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.

2094. Is there a butter market?—There is.

2095. Is there an inspector of butter?—There is not.

2096. Is butter sold by weight or lump?—By weight.

2097. What deductions are made in weighing butter?—None, except the weight of the empty crock.

2098. What are the deductions in wool?—We take standing beam, and deduct four pounds for beamage and the tare of the empty sack. The tret is usually one-fourth, or eight pounds to every pack of twenty stone.

2099. What is the principal produce of the market?—Oats, which is frequently sold by sample.

2100. Have you ever heard any complaints of the system of weighing in the merchants' stores?—In one case, a party, after having weighed in a merchant's stores, came to the market scales, and upon weighing them they were found to weigh from a stone to a stone and a half more than the merchant had returned them. I never heard of any complaints of the system of weighing in Mr. Hood's or Mr. Lancaster's stores, but I have heard complaints of other stores.

2101. Would you be in favour of establishing a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be sold and weighed?—I would; I am satisfied that it would be for the benefit of all parties.

2102. Would not a smaller toll be sufficient than is now exacted, if such a market were established?—It would.

2103. Do you think that Lord Clancarty could furnish more accommodation than he at present does, if such were established?—I do; he has it at present in contemplation to increase the market accommodation, and build a commodious market-house.

2104. Would you be in favour of weighing all agricultural produce like any other commodity, abolishing all deductions, except the tare of the empty sack, and regulating the price accordingly?—I do think such would be the fairest plan.

2105. Would you be in favour of the assimilation of weights and measures all through the country?—I would; it would save a great deal of confusion. Corn ought always to be sold by the hundred-weight and stone.

2106. Would it be an advantage to define, by legal enactment, what should be considered reasonable tolls all through the country?—It would; I would assimilate all the tolls through the country.

2107. Do you think that a proprietor should be obliged to afford sufficient market accommodation in return for the tolls?—I do.

2108. How many fairs are held in the town?—Three—on the 4th October, 7th of May, and 4th of July.

2109. Are tolls payable in the fairs?—They are; they are the same as those charged upon market-days. The tolls are always paid by the buyer, when the cattle are going out of the fair.

2110. Do the men in charge of the gaps tender oaths to the persons in charge of the cattle, to make them clear them?—They do not; they take their words for it.

2111. What proportion of the cattle brought into the fairs leave them, being sold?—At the October fair almost all the cattle are sold; at the other fairs about one-third remain unsold.

2112. Would you be in favour of compelling all proprietors to provide sufficient accommodation in the fairs for all cattle going into them, and oblige all persons to pay a small toll upon the entrance of their cattle into the fair, instead of, as at present, upon their going out?—It would save a great deal of confusion.

2113. Would not a very small toll be sufficient, if such a system were adopted?—I cannot say; the proprietor should receive an adequate return, in the shape of toll, for the accommodation he afforded.

2114. What value does Lord Clancarty give for the tolls he receives at the fairs?—There is a very large fair-green, which contains nineteen acres, besides giving up the race course in his demesne, for the sheep fairs, upon the first day. The accommodation is quite ample enough.

2115. How is bread sold in the town?—Generally by bulk, but sometimes by weight.

151.

Robert Eyre, esq.

Robert Eyre, esq., examined.

2116. What is your occupation?—I am the inspector of weights and measures in this district, which consists of half the county.

BALLINASLOE, 23rd October, 1852.

151. Robert Eyre, esq.

2117. Have you detected many frauds, in the use of improper weights and measures?—I have; I have held my present situation for eighteen years, and I always find a greater number of defective weights and measures at Christmas than at any other time.

2118. Among what class of people do you generally detect frauds?—Generally among huxters and that class of men; I have never detected any fraud among respectable men. The persons practising fraud have generally two sets of weights, one of which is correct, and the other defective. Upon my inspections, I generally discover a correct and an incorrect weight.

2119. Do you consider that the establishment of a general market, such as I have described, would be an advantage?—It would be a great advantage to the farmer and to the honest trader. It would also do away very much with forestalling, which prevails to a very inconvenient extent in this town.

2120. Would you be in favour of the assimilation of weights and measures all through the country?—I would; I think every thing should be sold and weighed by the hundred-weight or stone. The contents of the weights should be assimilated all through the country. I detect about thirty cases of improper weights being used every year.

152. Earl of Clancarty.

The *Earl of Clancarty* was examined and said—I would be in favour of a general market, such as has been described, and I had it in contemplation to increase the market accommodation, and erect a commodious market-house, as I think every proprietor is bound to provide sufficient accommodation in return for the tolls; and I conceive it would be most desirable if a small toll was levied upon all cattle when they were entering a fair, instead of when they were going out, as such led to much confusion. I also am of opinion, that it would be most advantageous if the weights and measures through the country were assimilated, as the diversity in different places produces inconvenience and confusion; and I think that what are reasonable and proper tolls should be defined by the legislature. I consider the inquiry as a most important one, and hope that it will lead to legislative interference in the foregoing particulars.

153. Arth. Bamfield, esq.

Arthur Bamfield, esq., examined.

2121. Can you suggest any thing upon the subject-matter of this inquiry?—I think that a little more inspection of the weights and measures in this town is desirable, and that the inspector ought more frequently to visit the town. I also think that all the corn brought into the town should be weighed in the market scales. There is no weigh-bridge, and Mr. Bianconi, who has one, weighs a great deal upon it, to the injury of the market. Mr. Bianconi charges 3*d.* for every load of hay or straw he weighs.

ATHLONE, 25th October, 1852.

Athlone, October 25, 1852.

154. Wm. Kelly, esq.

William Kelly, esq., examined.

2122. What is your occupation?—I am clerk to the Town Commissioners; I am also an attorney.

2123. Under what patent is the market held?—It is at present held by the Town Commissioners, under a private Act obtained for the purpose last session, which, by some error, overlooked the old patent.

2124. When was the market established?—I cannot say; I believe a very long time since.

2125. How often is the market held, and what are the market-days?—Twice a week—every Tuesday and Saturday.

2126. Who is the owner of the market?—The Town Commissioners, as successors of the old Corporation, under the private Act.

2127. Are tolls paid in the market?—Yes, but only upon market-days. The Town Commissioners are empowered by the Act to charge toll upon all the articles specified in the schedule upon their entrance into the town after they have built a commodious market-house, but at present they only levy toll upon those articles if they are sold.

2128. Are tolls paid by the buyer or the seller?—By the seller in the markets, by the buyer in the fairs.

2129. Is there an enclosed market-place?—There is not; and the greatest portion of the agricultural produce sold in the town is sold about the streets, which causes very great confusion. The Town Commissioners have purchased a piece of ground, which was well adapted for a market-place, but the publicans felt that they would suffer if it was substituted for the public streets, in consequence of its being at some distance from their shops, and the piece of ground has not since been used as a market. It is large enough for that purpose, but there is no market-house in the town.

2130. Are the tolls of the market let?—They are, and the lessee is in court.

2131. Is any toll levied upon corn?—No; but a charge is made for weighing it in the market; and if it is weighed anywhere else an account of the quantity weighed is kept, and a settlement made by the merchant with the lessee.

2132. Who attends at the market scales?—Persons appointed for that purpose, by Flynn, the lessee.

2133. Have a sufficient number of beams, weights, and scales been provided?—Yes; but there is no weigh-bridge.

2134. Has the person who attends at the cranes been sworn under 4th Anne, c. 14?—No.

ATHLONE,
25*th October*, 1852.

154.
Wm. Kelly, esq.

2135. Is all the agricultural produce sold in the town weighed in the market scales?—No; a very small quantity of it is weighed there.

2136. Is any charge made for weighing, independent of the toll?—No, there is not.

2137. Is there an inspector of weights and measures?—There is; he occasionally visits the market to exact his fees, and for other purposes; he sometimes confiscates the scales and weights, and his inspection is over for six months. The inspection of weights and measures in this town is not efficiently carried on.

2138. Is he still paid his salary?—I cannot say.

2139. What is the gross annual amount of the tolls?—About £200 per annum, which was disposed of in the cleansing of the town; but the Town Commissioners have been obliged to discontinue the contract from want of funds. A portion of the tolls were also applied in purchasing the piece of ground I mentioned.

2140. Is there a fair-green?—There is; but it is not enclosed, and the fairs are held about the streets.

2141. Are tolls paid in the fairs?—Yes, upon cattle which have been sold, when they are going out of the fair.

2142. Do the persons in charge of the gap ever tender an oath to the persons in charge of the cattle, to ascertain whether the cattle are sold?—They do not; they bring them up to the gap, and ask him to touch a paper and say whether the cattle are sold or not.

2143. Is not the person in charge of the cattle under the impression that he is taking an oath?—He is.

2144. Would it not be a more satisfactory arrangement to provide an enclosed and commodious fair-green, in which all the cattle brought into the fair should be sold, and to impose a toll upon all cattle upon their entrance into it, and not upon their leaving it, when sold?—It would. I think that many persons evade paying toll under the present system.

2145. What would be your opinion of having a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be sold and weighed?—I would be in favour of the establishment of such a market if means were provided for paying the expense of it. Our principal produce is wheat, which is sold in the merchants' stores.

2146. But if all the agricultural produce was brought into the market and sold there, would there not be sufficient means to defray the expenses?—I think there would; and if sufficient means were provided, I should be in favour of the general market you have described.

2147. Have you ever heard of frauds practised at the merchants' stores?—I have heard of frauds having been practised; but reports, which are untrue, are frequently circulated, where it is the interest of parties to do so.

2148. Do you not think that opportunities are afforded to the dishonest merchant of practising frauds in weighing at his own stores?—I do; there is nothing to prevent him if he chooses to be dishonest. The country people, however, have a very good idea of the weight of their own sacks, and are not behind the merchant in attempting to practise frauds. They frequently place a churn inside the sack, and they fill the space between it and the sack with good corn, whilst they fill the inside of it with corn of an inferior quality; they then draw out the churn, and it is very difficult to detect this fraud, as the top and bottom of the sack, as well as the sides, show good grain.

2149. Do you not think that a heavy penalty should be imposed upon the commission of any fraud, whether it was upon the part of the buyer or seller?—I think there should, without any power to the magistrates of mitigating the penalty, the minimum of which should be a real one, and not a mere nominal one.

2150. Would you be in favour of the legislature defining what should be considered reasonable and proper tolls?—I would; I think the amount levied for tolls should be assimilated through the entire country.

2151. Do you not think that an assimilation of weights and measures through the entire country would be desirable?—I do.

2152. Would you oblige the proprietor of a fair to give sufficient accommodation in a commodious fair-green, and compel all cattle to be brought into it?—I would; and if this were done, a smaller toll might be sufficient.

2153. Would you levy toll upon all cattle going into a fair instead of coming out?—I would. A very great temptation is afforded to parties to commit fraud at the gap.

Mr. *James Flynn* examined.

155.
Mr. James Flynn.

2154. What is your occupation?—I am lessee of the tolls.

2155. Are tolls paid by the buyer or seller?—By the seller, in the market.

2156. Is all the agricultural produce sold in the market weighed in the market scales?—No; a great quantity of corn is weighed in the merchants' stores.

2157. What are the charges made for weighing in the market scales?—One penny per hundred-weight. The merchants keep an account of the quantity they weigh, and make a return of it to me.

2158. Are tolls paid unless the article is sold?—No.

2159. Do you weigh standing beam or down weight?—Down weight.

2160. What is the smallest weight you use?—Seven pounds; if the gross weight of the corn was not seven pounds, I throw it out. It must be either seven pounds or nothing.

ATHLONE,
25th October, 1852.

155.

Mr. James Flynn.

2161. What are the deductions, in the nature of beamage or other allowances, made by you in weighing?—I make no deduction for beamage, but I deduct seven pounds for the weight of the empty sack; and if the party is not satisfied, he may have his sacks tared, and deduct their exact weight from the gross weight of the corn.

2162. Explain the system you employ of weighing potatoes.—We require down weight, and deduct seven pounds per hundred-weight for dirt, and seven pounds for the weight of the empty sack; but if the party wishes it, the sacks are tared.

2163. Explain the system of weighing oatmeal in the market.—We weigh to a pound, down weight, tare the sack, and deduct its exact weight from the gross weight of the meal.

2164. What is your system of weighing wool?—We take standing beam, weigh to a pound, and deduct four pounds for beamage, together with the weight of the empty pack. One-fortieth, or eight pounds, from every twenty stone, is also deducted for tret.

2165. What is the system of weighing butter?—We require down weight, weigh to a pound, and deduct four pounds for every hundred-weight, and the actual weight of the crock.

2166. Does the weighmaster keep a book in which he enters the quantity of corn sold, the average price and amount, with the names of the buyer and the seller?—He does not.

2167. Does he give any docket of the quantity sold to the buyer or the seller?—He does, if he is required; but he generally marks the weight of each sack with chalk upon the seller's hat; the buyer is generally present, and that is, therefore, thought sufficient.

2168. Does the weighmaster keep any copy of the docket?—He does not.

2169. If the seller lost his docket, could he supply him with a duplicate of it?—He could not.

2170. If Government required him to furnish a statistical account of the quantity sold, average price, and amount, could he do so?—He could not.

2171. Have you heard any complaints of the system of weighing adopted in the merchants' stores?—I have; some people are dissatisfied with the weight they give, and, after having weighed their corn at their stores, will again weigh it in the market scales, to see whether justice had been done to them. An instance of fraud on the part of the merchant never came to my knowledge.

2172. Are the same deductions made in merchants' stores as in the market scales?—Yes.

2173. What is the weight of a barrel of wheat?—Twenty stone.

2174. What of oats?—Fourteen stone.

2175. What of barley?—Sixteen stone.

2176. What of beans?—Sixteen stone.

2177. What of potatoes?—Potatoes are generally sold by the hundred-weight.

2178. Is a stone always calculated at fourteen pounds, avoirdupois?—It is; except in wool, which is calculated at sixteen pounds.

2179. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.

2180. Have you an inspector of butter?—No.

2181. Is butter sold by weight or by lump?—By weight.

2182. Have you heard of any frauds practised in the butter market?—No.

2183. What is the greatest quantity of corn you ever knew to have been sold in a week in this town?—About 4,000 barrels.

2184. Have you a weigh-bridge?—Yes.

2185. Are tolls levied upon cattle in a fair, whether they are sold or not?—No; if they are sold, when the cattle are coming out of the fair, the person in charge of the cattle, if required, is obliged to clear them by placing his hand on a piece of paper in the gap. If a man refused to clear his cattle in this way, I would make him go before a magistrate and make a declaration under the Act. This is a very inconvenient practice, as it is often very difficult to find a magistrate.

2186. Do half of the cattle who go into a fair pay the toll?—I think about half.

2187. Would half the toll now levied produce as good an income if all the cattle were obliged to pay toll upon their entrance into the fair, as they do at present?—It would; and I think such an arrangement would be more satisfactory to all parties.

2188. How many fairs are annually held in this town?—Four.

2189. Do the merchants make any charge, where corn is sold and weighed at their stores, for porterage?—They do; they charge 1*d.* per sack. They could not get through their business in the day unless they made this charge.

2190. What is the greatest quantity of corn delivered at any merchant's stores in one day?—About 300 sacks.

2191. Would not 1*d.* a-sack, in that case, more than pay the porters?—No; a great number of men are employed. In some of the stores, the merchant gives the entire amount received by him for porterage to the porters.

2192. What height are your scales from the ground?—About nine inches.

2193. Have you ever heard complaints of the scales in the merchants' stores being hung at a greater height from the ground?—I have.

2194. Would you be in favour of weighing corn standing beam to a pound, abolishing all deductions, and allowing the buyer to regulate his price accordingly?—I would; I think that would be the best plan.

ATHLONE,
25th October, 1852.

156.
Mr. O'Shaughnessy.

Referred to in the Report, p. 25, as Q. 2150.

Mr. *William O'Shaughnessy* examined.

2195. What is your occupation?—I am a flour merchant in this town.

2196. Is there any thing you would wish to suggest?—I wish to state that in some of the merchants' stores in this town, their scales are hung at a distance exceeding nine inches from the ground. In one instance I know a scale which is at least two feet from the ground, and the owner of it requires down weight; I think it would require one stone weight to bring those scales from standing beam to down weight.

2197. Would you be in favour of the establishment of a general market, such as I have described?—I would; I think it would be more satisfactory to the farmer.

2198. Would you be in favour of every proprietor of a fair being compelled to provide a commodious fair-green, and entitled, in return, to levy toll upon all cattle entering it, whether they were sold or not?—I think there might be poor persons who might be unable to pay for their cattle upon entering the fair-green, and should prefer the present system of the person in charge of the cattle paying when they were going out, if they were sold. The people of the town would much prefer having the fairs and markets held about the streets of the town, as they at present are, to their being removed to another place out of the town.—[*The witness handed in the following list of tolls*]:—

TABLE of TOLLS, RENTS, and STALLAGES.

BUTCHERS.

	s.	*d.*
For every butcher's stall, per week,	0	6
For the carcase of every bull, ox, steer, cow, or heifer, or any part thereof, by any person not occupying a stall,	0	3
For the carcase of every calf, pig, or sheep, by any person not occupying a stall,	0	3

FISHMONGERS, HAWKERS, &c., &c.

For every covered stall, standing, or place for the sale of manufactured goods, wares, merchandise, or provisions, on each fair-day,	0	3
For every such stall, standing, or place, for every Tuesday or Saturday,	0	2
For every uncovered stall, for every fair-day,	0	1
For every such stall, standing, or place, for every Tuesday or Saturday,	0	0½

The several tolls, rents, and stallage before-mentioned, and specified to be payable and paid for, and in respect of the occupation or use of any stall, standing-place, bench, compartment, or space of ground, as well by the original taker or occupier thereof, for a part or portion of the day, in case he shall not occupy the same the whole day, as also by any subsequent taker or occupier of the same for the residue of any part or portion of the same day.

TOLLS FOR CATTLE SOLD AT FAIRS.

	s.	*d.*
For every horse, gelding, or mare,	0	4
For every colt, filly, foal, mule, or ass,	0	3
For every bull, ox, cow, bullock, steer, or heifer,	0	2
For every calf (except a sucking calf), or pig,	0	1
For each sheep,	0	0½

And so in proportion for any less or greater number.

SCHEDULE OF TOLLS TO BE TAKEN FOR WEIGHING AND MEASURING.

	s.	*d.*
For every flitch of bacon,	0	1½
For every hog or pig,	0	3
For all other articles sold in the market, being not more than 1 cwt.,	0	0½
For each additional cwt.,	0	0¼
For all goods and articles sold by measure, for each bushel, or barrel, or sack, or less quantity,	0	1

SCHEDULE OF TOLLS TO BE TAKEN FOR WEIGHING MACHINES.

	s.	*d.*
For weighing any waggon,	0	2
For weighing any cart or other carriage, not weighing more than 2 tons,	0	2
For every load of hay, straw, or other agricultural produce, not weighing more than 1 ton,	0	3
For each additional ton, or less weight,	0	1

10 Vict., cap. 14, sec. 37.

Every person who shall *demand* or *receive* a greater toll than that authorized to be taken under the provisions of this, or the special Act ("The Athlone Market Act, 1852"), shall, for every such offence, be liable to a penalty not exceeding FORTY SHILLINGS.

157.
Wm. Wallace, esq.

William Wallace, esq, examined.

2199. Where do you reside?—In this town.

2200. Do you concur in the answers which have been given, or do you wish to suggest any thing?—I concur with many of the anwers which have been given, but I wish to state, that grievous complaints are made as to the present system of bringing cattle to fairs. It causes a great deal of rioting and ill feeling; and if such could be obviated, it would be a very great advantage to the country at large.

2201. Would you be in favour of levying a small toll when the cattle were going into a fair, whether they were sold or not, instead of a larger toll, when they were going out, if they were sold?—I would; and I think the farmer would prefer paying a small toll, whether his cattle were sold or not, to the present system.

2202. Would you be in favour of the establishment of a general market, such as I have described?—I would, although such might be inconvenient to some of the large corn buyers, by causing him delay. I think, however, that it would be satisfactory to all honest traders.

2203. Would you approve of an assimilation of weights and measures all through the

ATHLONE.
25th October, 1852.

157.
Wm. Wallace, esq.

country?—I would; the present diversity of weights is very inconvenient, as a man, who buys corn at one market town, may lose nearly a stone by selling at another, although he nominally sells it for the same price he bought it.

2204. Would you be in favour of weighing corn, like any other commodity, to a pound, abolishing all deductions, and allowing the purchaser to regulate his price accordingly?—I would; I think it would simplify matters very much, and be the fairest mode of dealing.

2205. Would you have legislative enactment to define what should be considered reasonable and proper tolls?—I would.

158.
Mr. Hayes.

Mr. *Hayes*, Chairman Town Commissioners, examined.

2206. Can you suggest any thing upon the subject-matter of the inquiry?—I should be in favour of a general market, such as you have described, as it would place all persons upon an equality, and be an advantage to the honest dealer, and would give confidence. I would also be in favour of having the weights and measures through the country assimilated. I am also in favour of having an enclosed fair-green. Weights and measures require to be more frequently inspected; and bread, which is now sold by the loaf, should always be sold by weight, which should never vary, although the price might.

159.
Mr. Daniel Lyons.

Mr. *Daniel Lyons* examined.

2207. What is your occupation?—I sell a great deal of cattle in the fairs in this town.

2208. Would you be in favour of paying a small toll upon your cattle upon their entering the market, whether they were sold or not, or a larger toll when they were going out, if they were sold?—I should prefer the present system, as if I did not sell my cattle at the first fair I brought them to, I might be obliged to bring them to another, and I should perhaps have to pay toll several times upon them.

160.
H. Frazer, esq.

H. Frazer, esq., J.P., examined.

2209. Where do you reside?—Near this town.

2210. Can you suggest any thing in addition to what has been already stated?—The magistracy of this town are most anxious to have the weights and measures more regularly arranged, and more frequently inspected. The inspection is very imperfect, and the employment of a great number of defective and fraudulent weights and measures are the consequence; we have endeavoured to induce the Grand Jury of this county to give copies of the standard weights and measures to the constables, in order that they might discharge the duty, but the Grand Jury have been hitherto unwilling to incur the expense of procuring copies of all the standard weights for every market town. Under such circumstances the magistracy have no right to interfere. I would oblige all proprietors of fairs to provide proper accommodation in an enclosed fair-green, and I would levy toll upon all cattle going into it, instead of when they were going out, if sold, which gives rise to continual disputes and constant quarrels. It also affords a great temptation to parties to commit fraud. The cattle, also, are much abused; and I think the farmers would rather pay a small toll when entering, than have their cattle ill-treated as they are. Great inconvenience is occasioned by the fairs and markets in this town being held in the public streets, as it is almost impossible, upon a fair or market day, to get through them, they are so blocked up with carts and standings. Turf carts also occasion a very considerable obstruction, and the police have no power to remove them.

2211. Would you be in favour of abolishing all deductions in weighing corn and of weighing it to a pound like any other commodity?—I would; in addition to those deductions, the dealer insists frequently that the corn does not correspond with the sample; the dealer takes off what he pleases, and frequent complaints are made by the farmers, that they are cut back in this way, although the corn is fully equal to the sample.

161.
J. Pidgeon, esq.

J. Pidgeon, esq., J.P., expressed his full concurrence in the statements and opinions of Mr. Frazer, and stated that he was strongly in favour of a small toll being levied upon all cattle going into a fair, whether they were sold or not, which he thought would not be inconvenient to any person. He also thought that the proprietor of a fair was bound to provide sufficient accommodation in a commodious and enclosed fair-green.

162.
Wm. Holden, esq.

William Holden, esq., examined.

2212. What is your occupation?—I am a merchant in this town.

2213. Do you buy in the market in this town?—I do.

2214. Do you consider that the market is well arranged?—I do. I cannot see how there could be any improvement. There is no place in the town sufficient to contain all the agricultural produce sold in it. The place which the Town Commissioners purchased was very inconveniently situated.

2215. Do you not think that it would be better, if possible, to have an enclosed market-place?—It would, if a sufficiently large place could be found, in which all the agricultural produce brought into the town should be sold and weighed.

2216. Would not the establishment of such a market be a protection to the honest trader against fraud, and be calculated to promote competition?—I think it would.

2217. Do you think that it is a good arrangement to hold fairs and markets about the

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162.
Wm. Holden, esq.

streets of the town?—I do not think it is. There is certainly room for improvement in that way.

2218. Complaints were made here, that the scales in some of the merchants' stores were at a considerable height from the ground; is that true?—I have heard so. There is at present no check upon the dishonest trader, either in weights or scales.

2219. Would not a general market, such as I have described, operate as a check to such frauds?—I think it would.

2220. Would you be in favour of weighing corn, like any other commodity, to a pound, abolishing all deductions, except the tare of the sack, and allowing the purchaser to regulate his price accordingly?—I think it would be the fairest system; a man ought to be paid for what he has, neither more nor less.

2221. Would you be in favour of having the weights and measures all through the country assimilated?—I would, or I would prefer that all agricultural produce should be bought by the hundred-weight or stone. Great confusion arises from the present system.

2222. If a convenient place could be procured, would you be in favour of the establishment of a general market, such as I have described?—I think it would be the fairest plan, but it would impose more trouble upon the merchant; and I do not see what protection there would be against the seller changing the corn on its transit from the market to the merchants' stores.

2223. Can you suggest any thing in addition to what has been already stated?—I conceive that the Town Commissioners ought not to levy toll upon articles passing through the streets, and that they should apply the tolls in cleansing and paving the streets, rather than in paying the parliamentary agents for obtaining their private bill. If this were a free market, it would be much better for the town.

2224. How many porters are employed at your stores?—Three; I give them the entire amount received by me for porterage.

2225. What is the largest quantity of corn you ever purchased in one day?—Four hundred sacks.

2226. Then the porters got 11*s.* each upon that day?—They did, but they would not get so much every day. The business of my stores could not be carried on without the employment of these porters.

2227. Do the farmers ever object to pay for porterage?—They do not.

2228. Would not one-halfpenny upon each sack sufficiently remunerate the porters?—I do not think the charge of 1*d.* excessive.

2229. Do you buy or sell in the fairs in this town?—I do not.

163.
Mr. Jas. Murtough.

Mr. *James Murtough* examined.

2230. Would you be in favour of the establishment of a general market such as I have described?—I would. I think it would place all parties upon an equality, and it would be much more satisfactory to have all agricultural produce brought into a public market, and weighed by a disinterested and responsible weighmaster, than to have matters as they are at present.

2231. Would you be in favour of weighing corn to a pound, like any other commodity, abolishing all deductions, except the tare of the sack, and regulating the price accordingly?—Not unless the same was done all through Ireland and in England. In that case it would be fair enough.

2232. Would you be in favour of levying a small toll upon all cattle entering a fair, whether they were sold or not, instead of levying toll only upon such as were sold when they were going out of the fair?—I would.

MULLINGAR,
26th October, 1852.
164.
Edward Maxton, esq.

Mullingar, October 26, 1852.

Edward Maxton, esq., examined.

2233. What is your occupation?—I am receiver over Lord Granard's estate.

2234. Under what patent is the market held?—The 27th Chas. II.

2235. How often is the market held, and what are the market-days?—Once a week, on Thursday.

2236. Who is the owner of the market?—Lord Granard, a minor.

2237. Are tolls paid in the market?—Yes.

2238. Are tolls paid by the buyer or seller?—By the buyer on all cattle; by the seller on all articles of agricultural produce.

2239. Is there an enclosed market-place?—No; there is a market-house.

2240. Is the sale of all the agricultural produce confined to the market-house?—No; the greatest portion of it is sold about the streets of the town.

2241. Has a weighmaster been appointed?—No; the care of the market has been temporarily placed under the care of two men, by the master.

2242. Have a sufficient number of beams, weights, and scales been provided in the market-place?—Yes; but there is no weigh-bridge.

2243. Has the person who acts as weighmaster been sworn under the 4th Anne, c. 14?—No.

2244 Is all the agricultural produce sold in the town, weighed in the market scales?—No; a great portion of it is weighed at the merchants' stores.

MULLINGAR, 26th October, 1852.

164.

Edward Maxton, esq.

2245. Suppose corn is brought into the market and not weighed, is any charge made for it?—No.

2246. Will you give a list of all the charges in the market-place?—[*Mr. Maxton handed in the following list.*]

A Return of the several Charges made for weighing the several Articles at the Market Crane of Mullingar.

	s.	d.
Oats, per sack, under 24 stone,	0	1½
„ 24 stone, and up to 32 stone,	0	2
„ 32 stone, and above that weight,	0	2½
„ Small parcels, each,	0	1
Oatmeal, per sack, under 24 stone,	0	1½
„ 24 stone, and under 32 stone,	0	2
„ 32 stone, and all over that weight,	0	2½
„ Draughts, and small parcels, each,	0	1
Potatoes, all under 24 stone,	0	1
Potatoes, 24 stone, and under 32 stone,	0	1½
Butter, per cask, each,	0	2
„ small parcels, 28lbs., and all above that weight, each,	0	1½
„ under 28lbs. each,	0	1
Dead pigs, each,	0	2
Bacon, per flitch, each,	0	1
Wool, per pack,	1	0
„ small parcels, per stone,	0	1
Merchandize, per cwt.	0	1

2247. Do you weigh standing beam?—No, we require a draught; the scale must go to the ground.

2248. What is the smallest weight used in weighing in the market scales?—Seven pounds.

2249. Suppose the gross weight of the corn to be seven pounds at standing beam, would it be thrown out?—It would.

2250. What are the deductions made in the nature of beamage or other allowances at the market scales?—Seven pounds are taken from the weight of the sack, which is, however, sometimes tared; no deduction is made for beamage.

2251. Are the deductions in weighing potatoes the same?—Yes.

2252. Explain the system of weighing wool in the market scales?—Standing beam is taken, and it is weighed to a pound, up to four hundred-weight, one pound is deducted for beamage, and eight pounds from every three hundred-weight for tret. The pack is tared, and its exact weight deducted from the gross weight.

2253. Explain the system of weighing butter in the market scales?—A cast is required; it is weighed to a pound; three pounds for soakage, and the exact tare of the crock is deducted from the gross weight.

2254. Does the weighmaster keep a book in which he enters the quantity of agricultural produce sold, the average price and amount, with the names of the buyer and seller?—No; but he gives me a return every week of the quantity weighed by him.

2255. If Government required him to give a return of those particulars for the last year, could he do so?—He could not.

2256. Does he give any docket to the buyer or seller?—He does; but he does not keep any copy of it, so as to be able to furnish a duplicate if it were lost.

2257. What is the weight of a barrel of wheat?—Twenty stone.

2258. What of oats?—Fourteen stone.

2259. What of barley?—Sixteen stone.

2260. What of potatoes?—Potatoes are always sold by the stone.

2261. Is a stone always calculated at fourteen pounds, avoirdupois?—It is, except in the case of wool, which is calculated at sixteen pounds.

2262. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.

2263. Have you an inspector of butter?—No.

2264. Is butter sold by weight or lump?—By weight.

2265. What is the principal produce of the market?—Oats and butter.

2266. Is there an inspector of weights and measures?—Yes.

2267. Are the tolls of the market let?—They are; they are let for £50 Irish, per annum.

2268. Are the charges for cranage let?—No; they are collected by me, and produce an annual income of about £63.

2269. Do you give any accommodation in return for the tolls, except the market-house?—No; £50 was recently expended in repairing it.

2270. How are tolls collected at the fairs?—There is an enclosed fair-green, and tolls are levied by the man at the gap upon the cattle which have been sold when they are leaving the fair-green.

2271. Do you tender oaths to ascertain whether the cattle are sold or not?—No; we take the word of the person in charge of the cattle.

2272. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be sold and weighed?—I would; I think the present system occasions a great deal of confusion, and a great deal of imposition.

2273. Could you provide sufficient accommodation for such a market in this town?—Lord Granard could easily do so when he comes of age.

2274. Would you be in favour of an assimilation of weights and measures all through the country?—I would.

MULLINGAR, *26th October*, 1852.

164. Edward Maxton, esq.

2275. Would you approve of weighing corn, like any other commodity, to a pound, taking standing beam, and abolishing all deductions except the tare of the empty sack?—I would.

2276. Would you be in favour of levying a small toll upon all cattle when they were going into a fair, instead of when they were coming out, if they were sold?—I think it would prevent fraud.

2277. Have you heard of any frauds having been practised by the merchants in weighing in their stores?—I have heard frequent complaints, but I do not know whether they were well founded or not.

Mr. *James Tuite* examined.

165. Mr. James Tuite.

2278. What is your occupation?—I am the lessee of the tolls.

2279. Have you any printed list of the tolls you levy at the fairs and markets?—I have; the following is a copy of it:—

CUSTOMS payable at MULLINGAR.

The Right Honourable the EARL of GRANARD, Patentee.

ON MARKET DAYS.

	s.	d.		s.	d.
Cows, each,	0	1¾	Standings, uncovered, each,	0	1
Pigs, sheep, and calves, each,	0	1	„ hawkers', each,	0	1
Hide and tallow,	0	1¾	Pig, fruit, vegetables, woollen ware, and timber, per load,	0	1
Standings for meat, each,	0	2¾			
„ covered, each,	0	1¾			

ON FAIR DAYS.

	s.	d.		s.	d.
Horses, cows, bullocks, each,	0	3¾	Woollen articles, when sold, middling, each,	0	1½
„ two years' old, each,	0	2¾	„ smaller, each,	0	1
„ yearlings, each,	0	1¾	„ small, each,	0	0½
Sheep, each,	0	1	Standings, covered, each,	0	6
Pigs, each,	0	1¾	„ uncovered, each,	0	3¾
Pigs, per load,	0	6	„ hawkers', each,	0	1¾
Timber and wooden ware, per load,	0	6	Wool, coming in, per load,	0	6
Woollen articles, when sold, large, each,	0	2¾	Tents on fair-green, each,	0	11

JAMES TUITE, *Collector*.

2280. Do your collectors always carry a copy of this card with them?—They do.

2281. What rent do you pay for the tolls?—£50 Irish a-year.

2282. What is the greatest quantity of corn usually sold on a day?—I have known fifty loads sold in a day.

2283. Do you always take the word of the party in charge of the cattle going out of the fair whether they are sold or not?—I do; I sometimes put a piece of paper into their hands and make them clear them.

2284. Would it be more convenient to levy a small toll upon all cattle going into the fair, instead of levying toll upon those which were sold when they were going out?—I think it would.

2285. Do you keep any return of the cattle sold in the fairs or markets?—I do not.

DUBLIN, NOVEMBER 2, 1852.

DUBLIN, *2nd November*, 1852.

166. Francis Codd, esq.

Francis Codd, esq., Secretary to the Chamber of Commerce in Dublin, stated, in consequence of a letter received from the Secretary to the Commissioners, Thomas Wilson, esq., High Sheriff of the City of Dublin, and Thomas Crosthwait, esq., have been deputed by the Chamber of Commerce to attend upon you for the purpose of expressing the thanks of the mercantile community for the issuing of this Commission. They are of opinion that very few measures which have been adopted are better calculated to advance the interests of commerce than an inquiry into the state of the markets, which very much require improvement. Frequent frauds are carried on, numerous abuses prevail, and great inconveniences result to individuals in our markets under the system by which they are at present regulated. The diversity of weights and measures occasions great inconvenience, and the word barrel is used to signify a different quantity in different localities, so much so, that even a well informed person is incapable of ascertaining the precise quantity in any particular locality, unless he is intimately acquainted with it. The subject has engaged the attention of the Chamber of Commerce, but they have been unable to devise a plan to meet so great a difficulty. They sincerely rejoice that His Excellency the Lord Lieutenant has issued this Commission, and are desirous to contribute in any manner in their power to carry out its object. The Corporation of this city have also directed their attention to the subject, and have appointed from their body a market committee, of which I am a member.

Mr. *Edward Browne* examined.

167. Mr. Edward Browne.

2286. What is your occupation?—I am weighmaster to the Corporation, in Smithfield market, and I am also deputy-clerk of all the markets in the City of Dublin. I act under the warrant of the Lord Mayor of this city.

DUBLIN, 2nd November, 1852.

167.

Mr. Edward Browne.

2287. Under what patent or authority is the market in Smithfield held?—Originally, under a charter of King John; at present, under the Dublin Improvement Act. The market is a free market, as no tolls are paid in it.

2288. How often is the market held for the sale of hay and straw, and what are the market-days?—Twice a week—on Tuesdays and Saturdays.

2289. Who is the owner of the market?—The Corporation of the City of Dublin.

2290. Is the sale of hay and straw confined to the market?—No; the market-place is too small for all the hay and straw coming in for sale, and, consequently, a great number of carts are obliged to remain in the streets, surrounding the market, and are only able to come into the market-place as the others are sold.

2291. Is there a sworn weighmaster in the market?—I am the weighmaster of the market, and have taken the oaths of office.

2292. How many weigh-bridges are there in the market-place?—There are two, under the management of the Corporation; I am the weighmaster at one of them, and Mr. Boshell at the other. There are seven other weigh-bridges, but they are not under the control of the Corporation.

2293. Are the weighmasters, at the Corporation weigh-bridges, sworn under the 4th Anne, cap. 14?—They are.

2294. Is all the hay and straw sold in the market weighed at the Corporation weigh-bridges?—No, not one-sixtieth portion of it.

2295. Are the seven weigh-bridges of which you speak, in Smithfield market?—No, four of them are in the market-place; the other three are out of it—one in May-lane, one in Carter's-lane, and one in Phœnix-lane.

2296. What are the charges made for weighing?—One halfpenny per hundred-weight is charged upon the market-days; one farthing upon all intermediate days; 6*d.* per ton is also charged for weighing iron and rags.

2297. Have you any printed list of the charges for weighing?—No, we have not, on account of the unsettled state of the market.

2298. Do you always tare the cart?—No; if there are figures on the cart we do not consider it necessary always to tare them; if there are not figures we always do so.

2299. How often do you tare the cart with figures?—Every second or third market they come in.

2300. What is the smallest weight you calculate on the weigh-bridge?—Twenty-eight pounds.

2301. What deductions do you make from the gross weight of the load?—Sometimes by private arrangement between the factor and purchaser; on a wet day from an eighth to a quarter of a hundred-weight is deducted from each load of hay or straw. If I make this deduction I write it upon the docket.

2302. Have you a copy of the docket you give to the seller?—Yes [*witness handed in the document*]; I keep a book in which I enter the weight of every thing, and from which I furnish the buyer or seller with a docket.

2303. Does that book show the quantity sold, price, and amount?—No; I only put down the quantity sold.

2304. If Government required you to furnish them with a statistical return of the quantity sold within the last year, could you do so?—I could [*hands in his book*].

2305. What were your gross receipts for weighing last year?—£110 16*s.*

2306. What was your expenditure?—£24 14*s.*

2307. What is the amount of your salary?—My salary ought to be £100 per annum; but in consequence of the net receipts being so small there was a deficiency of about £13 last year.

2308. Then the amount of your salary depends upon the amount of your receipts?—It does; but it is never to exceed £100.

2309. Does the warrant give you power over all the markets in this city?—It does; over all the markets under the control of the Lord Mayor.

2310. Under what authority are the seven other weigh-bridges held?—Three of them have been established since 1814, the weigh-bridge in May-lane in 1826, and the one in Phœnix-street in 1829. During the year that Mr. O'Connell was Lord Mayor he appointed three or four other weighmasters; the persons then in possession refused to resign their situations, whereupon the weighmasters he appointed built weigh-houses for themselves.

2311. Have all the weigh-houses been established under the authority of the Lord Mayor for the time being?—They have; the market got into a state of great confusion, which was the cause of my weigh-house being built. I saw, by the proceedings of the Corporation, that Mr. O'Connell required information upon the subject, and therefore wrote a statement, calling his attention to the 4th of Anne, which authorizes the Lord Mayor to appoint a borough weighmaster, and in that way try the rights of the other parties. Mr. O'Connell appointed a man, but his appointment was afterwards cancelled when Alderman Roe became Lord Mayor; he appointed Stephens, who was supposed to have control over all the other weigh-houses. Stephens then appointed me deputy-weighmaster; and three of the other weighmasters entered into an agreement to pay me 1*d.* for each load; the other weighmasters refused to submit to this payment, and after some time Stephens brought an action to try the right, but was nonsuited on a technical point; since that time the other weighmasters refused to pay the fees.

2312. When a weighmaster is appointed, does he remain such for life?—Under the

Dublin Improvement Act the succeeding Lord Mayor may dismiss him; it is, at present, a yearly appointment.

2313. Have the Corporation power to turn out the present weighmasters?—I believe they have. The weighmasters are willing to resign upon receiving compensation, which the Corporation have power to give.

2314. Are the charges in the other weigh-houses the same as in yours?—Yes; but they sometimes allow factors to weigh for half the proper charge; they will frequently weigh a load for 4*d*., and they often give 2*d*. a load to the market porters to bring the sellers to their weigh-bridges.

2315. Suppose a farmer sends in his hay to a factor, will he be charged only 4*d*. a load for weighing?—No; the factor makes the seller pay the full price, although he may get it done for 4*d*. or even less, and keeps the difference.

2316. Have you ever weighed a load of hay for 4*d*.?—I have. One of the other weighmasters kept persons in their pay, who were pulling a cart off my weigh-bridge; I came out and said, I would weigh the load for 4*d*. Some of the farmers make an agreement with a particular factor to charge only what he, the factor, pays himself; and in such a case they get their hay or straw weighed for the exact sum paid by the factor.

2317. Is all the hay that comes to market sold by the factors?—It generally is; but there is nothing to prevent a farmer selling his own hay, except that the factors afford more accommodation to the buyers by giving credit.

2318. What commission does the factor charge the farmer?—Two pence per hundredweight for hay, and one halfpenny per hundred-weight on straw, one halfpenny of which is for weighing. Some hay sells for only 1*s*. per hundred-weight, and in such case one-sixth of the entire price is deducted from the farmer.

2319. Could any person set up a weigh-bridge?—They could not do so in the market, but might outside; there is nothing to oblige hay or straw to be weighed in the market.

2320. Have you ever heard of any frauds having been practised at the weigh-bridges in the market?—I have, a few years ago, but not very recently.

2321. Can you give a list or statement of those frauds?—I can, but I must go back as far as the year 1843. Upon the 4th of November, 1843, a buyer of hay insisted the load should be weighed at a particular weighmaster's; the carman was not satisfied with the return, saying he knew what hay was in his load, and that he should have it re-weighed at the Corporation machine, and having brought it there, it was correctly weighed, when a deficiency of one and a-half hundred-weight appeared. The buyer made no opposition, and paid for the hay according to the correct weight on the Corporation weigh-bridge.

Second Case, November 11.—The owner and seller sold a load of hay and insisted that the load should be weighed at a particular weigh-house; the purchaser, not satisfied with the return, brought the load to the Corporation weigh-bridge, and upon its being re-weighed there, a difference appeared against the buyer of two hundred-weight. The seller at once submitted, but has never since weighed at the Corporation weigh-bridge.

Third Case, December 2, 1843.—The owner, through a factor, sold a load of hay, the buyer insisted upon having the hay weighed at a particular weigh-bridge; the empty dray was brought back and re-weighed at the same weigh-bridge, but the owner considering he was wronged in the tare of his dray, brought it to the Corporation weigh-bridge, when a difference appeared against the farmer in the weight of his hay of a-half hundred-weight.

Fourth Case, March 2, 1844.—The cart-load was weighed at the Corporation machine, and the ticket was refused by the owner because the tare would not be reduced to three quarters of a stone lesser weight than had been returned.

Fifth Case, April 13, 1844.—A factor weighed, at the Corporation machine, a load of hay, and it was brought afterwards by the buyer to a particular weigh-house; the gross weight was made to correspond with the Corporation machine, but, upon the empty dray being brought back, they made the tare seven hundred-weight two quarters. The carman said his dray never weighed that weight, and brought it to the Corporation machine, where the tare was seven hundred-weight, making a difference, as against the seller, of a-half hundred-weight; the ticket was brought back to the other weigh-bridge and corrected.

Sixth Case, April 2, 1844.—A factor sold a load of hay to a purchaser, who insisted the load should be weighed at a particular weigh-house; the gross weight was eighteen hundred-weight three quarters and fourteen pounds; the parties having refused to take the tare from the gross weight until the hay was first delivered, attracted the factor's attention, and he then had the load brought to the Corporation machine, when the gross weight appeared to be twenty-three hundred-weight three quarters, and the tare eleven hundredweight, showing a difference against the farmer of four hundred-weight three quarters and fourteen pounds, which the purchaser paid for without dispute.

Seventh Case, April 20, 1844.—Bulk load,—the owner sold, through a factor, to a hay dealer, who insisted upon the hay being weighed at a particular weigh-bridge; the hay being delivered, and the empty dray brought back to be re-weighed, they made the tare six hundred-weight three quarters and fourteen pounds. The owner, not being satisfied with the tare, brought the dray to the Corporation machine, which made the tare six hundredweight, showing a difference, as against the seller, of three quarters and fourteen pounds.

Eighth Case, May 21.—Load of straw weighed in May-lane, and also in the Corporation machine, in which a difference appeared of two quarters and fourteen pounds.

Ninth Case.—An owner sold to a factor a load of hay which was weighed at a particular weigh-house; the carman, not being satisfied with the above weight, had the load re-weighed

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at the Corporation machine, showing a difference, against the owner, of two hundred-weight two quarters. The ticket was corrected according to the Corporation return.

Tenth Case, August 24, 1844.—The owner sold, through a factor, a load of hay; the hay was weighed at the Corporation machine and a return given for it; particular pains were taken with this load, as the owner was a person who could never be satisfied; in about half an hour after the load was weighed, the owner brought back the ticket, saying, that he got his load weighed at another weigh-bridge, and that he had more weight. He refused to show his ticket. The weighmaster told him he much regretted that he had not the power of seizing his load, and having the case brought before the Lord Mayor. It was afterwards ascertained that the load was made to weigh more than it had formerly done, making a difference against the purchaser of three quarters of a hundred-weight.

Eleventh Case, October 1, 1844.—A factor weighed a load of hay at a particular weigh-bridge, which was bought by a hay merchant; the buyer had the empty dray brought back to be tared; the tare, at the place the cart-load had been previously weighed, was six hundred-weight two quarters; the owner refused to submit to this tare, and brought the dray to the Corporation weigh-bridge, where the tare appeared to be only five hundred-weight, showing a difference of one and a-half hundred-weight.

Twelfth Case, October 12, 1844.—The owner and the factor having the load of hay weighed on the Corporation machine, the buyer insisting upon the hay being weighed at a particular weigh-house: the empty dray having been brought back, was weighed, and the tare was seven hundred-weight; the carman disputed this weight, and brought the dray to the Corporation weigh-bridge; the tare was only six hundred-weight two quarters, showing a difference, against the owner, of a-half hundred-weight.

Thirteenth Case, November 23, 1844.—A purchaser bought from a factor a load of hay, which was weighed at the Corporation weigh-bridge; it was afterwards weighed at a particular weigh-bridge, and the load was made three-quarters of a hundred-weight heavier; it was afterwards sent by the purchaser to the Irwin-street machine, where the weight corresponded with the Corporation machine.

Fourteenth Case, December 17, 1849.—In another case, the owner and the factor weighed at the Corporation machine, and the net weight was fifteen hundred-weight two quarters; the buyer refused taking the hay unless the load was weighed at a particular weigh-bridge; the buyer, who was a woman, refused to show the carman the ticket issued at that weigh-bridge; but the load of hay being delivered, and the ticket returned, there appeared a difference against the farmer of a-half hundred weight.

Fifteenth Case, April 24, 1847.—A cart-load of hay was weighed at the Corporation weigh-bridge, and also at one of the other weigh-bridges, and the loss to the seller, if he had not adopted the Corporation weigh-bridge, would have been two hundred-weight.

A load of hay was weighed at a weigh-house, and afterwards at the Corporation machine, and the latter returned the load as weighing one hundred weight more than the former did.

Sixteenth Case, September 21, 1847.—Upon another occasion a load of hay was weighed at the same machine, and afterwards re-weighed at the Corporation weigh-bridge, which returned the load as weighing one and a-half hundred-weight more than the former did.

Seventeenth Case, November 16.—A load of hay was weighed at the same machine, and re-weighed in the Corporation weigh-bridge, and the return at the former exceeded that at the latter by about two hundred-weight.

Eighteenth Case.—Upon another occasion, a cart was tared at eight hundred-weight one quarter at the Corporation machine; it was subsequently tared at the same weigh-bridge at nine hundred-weight and fourteen pounds; it was afterwards discovered that that cart had been tared upon three different occasions, at another of the weigh-bridges, at six hundred-weight one quarter.

Nineteenth Case, 1847.—Three loads of hay were bought by a gentleman from factors, the tares taken upon the drays, at one of the weigh-bridges, were as follows:—for the first, five hundred-weight and fourteen pounds; second, five hundred-weight one quarter; third, five hundred-weight one quarter; the gross tares of the three drays being fifteen hundred-weight two quarters and fourteen pounds. The tares of these same carts, upon reference to the books of the Corporation weigh-bridges, were, for the first, seven hundred-weight; for the second, seven hundred-weight; for the third, six hundred-weight three quarters; making the gross tare twenty hundred-weight three quarters and fourteen pounds, and an excess of five hundred-weight one quarter.

Twentieth Case, December 9, 1848.—A gentleman bought a load of hay from a seller, which was weighed at one of the private weigh-bridges, at net weight, twelve hundred-weight one quarter, for which the gentleman paid at the time; the hay was delivered on his loft; he afterwards conceived, from the bulk, that he had not within three or four hundred-weight of the complement for which he paid; this drew his attention to the cart, and caused him to bring it to the Corporation weigh-bridge to be weighed, and he found the tare of the cart in the latter, to exceed that of the former by three and a half hundred-weight against the buyer; or in other words, he paid for three and a-half hundred-weight of hay more than he got.

[*The foregoing is a copy of the written statement of Mr. Browne, omitting the names of the parties and the numbers of the carts, with many of the returns of the gross weight and tares of the carts, and giving only the results.*]

2322. Are these frauds much practised at present?—I do not think they are; at least, if they are, I have not discovered them. The differences between the returns upon the Corporation weigh-bridges and the others are very trifling at present. I have known, however, of dishonest factors getting out dockets without taring the carts, and having them tared afterwards. Dockets are sometimes issued without any tares, and the factors get a different tare from the actual one afterwards inserted. A system of bribing the servants of gentlemen, sent by their masters to buy hay or straw, likewise prevails to a great extent. I knew of one instance, in which hay was bought at 2*s.* 9*d.* per hundred-weight, and the price the gentleman (whose name I could not learn) was charged, was 3*s.* 3*d.* The farmer only received 2*s.* 9*d.* for his hay, the gentleman paid 3*s.* 3*d.*, and the factor pocketed the difference. I must say, however, that, as a general rule, the factors are a very honest set of men, with some exceptions. I should suggest the following improvements in the markets, which I have laid before Mr. Smith, the parliamentary agent:—

1st. The enlargement of the market, by giving greater space for the accommodation of the public. This could be effected by compelling the cattle salesmasters to remove the pens into their yards after the Thursday market is over; at present the pens are piled up at each side of the market; this takes up at least one-third of the market, and the result is, that a large quantity of hay and straw has to remain in the adjoining streets until they can get accommodation, thereby subjecting them to great loss by hay pluckers, and an interruption to the public, by blocking up the streets.

2nd. Factors should be licensed by the Lord Mayor, this would make them more respectable; and in case of fraud, or connivance of fraud, the licence to be withdrawn, and a penalty imposed upon any factor selling without such licence. Farmers selling their own hay or straw, to be subject to a penalty if they committed fraud.

3rd. Inspector of the market to have an office in some central part of the market, and to be in attendance from the commencement of the business until the close. The duty of the inspector should be, to examine all hay and straw that may appear fraudulently made up; to hear and decide all disputes between buyer and seller; to prevent obstruction to the public business; and to see that the hay pluckers be kept out of the market and punished.

The weighmasters to be under the control of the Lord Mayor, to be sworn to do their duty faithfully and impartially, to be subject to fine for neglect of duty, and dismissal for fraud. To superintend the weighing of goods and wares themselves, and to see that their assistants act correctly. No factor of hay or straw, or any person connected with a factor, to act as weighmaster. At the close of each market, the weighmasters to furnish an account of the receipts for weighing to the person appointed to collect, the collector paying over the amount of the receipts, every Wednesday, to the treasurer; this arrangement would take in the two markets, Saturday and Tuesday.

Tares of Carts.—Weighmasters not in any case to take the tare of carts, drays, or cars, if a period of two months elapse, from the 1st of October to the 1st of March, or three months, during the summer months. Tares not to be taken from carts, drays, or cars not having figures. The weighmaster to re-weigh empty carts, drays, or cars, at the request of the buyer or seller; a fee of 2*d.* to be paid by the parties at whose request it is made. A penalty upon factors, their clerks, or any other person but the weighmaster, or his assistant, taking the tare of carts, cars, or drays. *Owners* of carts, drays, or cars, changing wheels, removing figures, or making alterations without informing the weighmaster of such removal or alteration, to be subject to a penalty.

Persons requiring false Returns.—Penalty upon buyers or sellers of hay or straw requiring weighmaster to give false returns, or using abusive language towards them for not doing so. Penalty upon factors or clerks giving bribes or gratuities to servants.

The hay and straw market commences late in the day, seldom before eleven o'clock; and as the heaviest markets are on the shortest days, I do not think less than five weighmasters could do the business of the market with convenience to the public. If it should be considered that four would answer, one should be erected at the end of New Church-street, that is, if weighing machines are to be confined to the market; it requires one there for the weighing of straw. As disputes frequently arise between buyer and seller, respecting the weight of a load of hay or straw, it will be necessary to have (as there is at present) a standard weigh house, supplied with check weights, to decide such disputes, and also to check the other machines, at least once a week, so that they may correspond. The weighing should be paid for at the time of issuing the ticket; but until such time as the practice becomes known, notice should be served upon the factors to supply the carmen with money to pay for the weighing. Where a buyer refuses taking a load of hay or straw, and the same is returned to the market, the ticket, as issued in the first instance, to be returned to the weighmaster to pay for the second weighing.

2323. Are the owners of the other weigh-bridges accountable to any person?—They are not. As I before stated, the Corporation has power, under the Dublin Improvement Act, to give them compensation, and get possession of their weigh-bridges. The owners of the weigh-bridges were willing to be bought out, and they sent in returns of the annual amount received by them for weighing. The amount received

By Mr. Stephens, was	£800	per annum.
„ Mr. Adie, ...	500	„
„ Mr. M'Dermot, ...	370	„

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By Mr. Holmes, was	. . . .	£300 per annum.
„ Mr. Lawrenson,	. . . .	270 „
„ Mr. Finn, about	. . . .	214 „
„ Mr. Howard, about	. . . .	214 „

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Whilst my net annual receipts, last year, were only £82.

2324. How do you account for the owners of the other weigh-bridges receiving so much more than you do?—I cannot account for it, except that it is by their weighing cheaper, and thereby doing more business.

2325. Do you ever detect frauds in altering the weight of the carts after the hay is delivered, and previous to their being tared?—I do; they frequently put light wheels upon their carts for the purpose of having them tared, and when the cart is tared substitute heavier ones.

2326. Do you make any charge for taring the carts?—I do not.

2327. If all the hay and straw were weighed at weigh-bridges, under the control of the Corporation, how many weigh-bridges would be required?—I think four would be sufficient for the purpose. The markets commence at too late an hour in the day, but by commencing earlier, the business might be done by the above number. I have known 1,500 loads of hay and straw in a market upon one day; but I think I could weigh sixty loads in an hour, provided there was no unnecessary delay or obstruction.

2328. Do the farmers ever sell without employing a factor?—Very seldom. There are forty-two factors in the market.

2329. What is the average number of loads of hay and straw sold weekly in the market?—I should say about 2,000, upwards of 100,000 in the year.

2330. What do you suppose is the amount of the receipts for weighing in the market in a year?—About £2,700 or £3,000.

2331. What do you suppose to be the average quantity in a load?—In hay, about fifteen hundred-weight, and the charge for weighing it amounts to about 7½*d.* Loads of straw weigh from ten hundred-weight to twelve hundred-weight, and the average charge for weighing it is about 5½*d.*

2332. What is the proportion of hay sold in the market to that of straw?—About four-fifths of the entire sold is hay, and the remaining one-fifth straw.

2333. Is not ½*d.* per hundred-weight more than sufficient to pay for the weighing of hay and straw?—I think it is; 6*d.* per load would be sufficient where the load exceeds twelve hundred-weight, and 4*d.* where it was under twelve hundred-weight; but I do not think that less would do, as the Corporation would have to compensate the owners of the other weigh-bridges; their rights being protected under the 82nd and 83rd sections of the Dublin Improvement Act.

2334. Is there any thing to prevent a person setting up a weigh-bridge outside the market to weigh loads of hay and straw, and receive payment for weighing?—I am not aware of any law to prevent it.

2335. Would you be in favour of a general market, in which all the hay and straw brought into the town for sale, should be sold and weighed?—I would. I would not allow any person to sell hay or straw out of the market-place; this would afford protection to both buyer and seller.

2336. If such a market was established, would not a smaller charge than that imposed at present be sufficient?—I do not think smaller rates of charges than those I have mentioned would be adequate, and the farmers would be content to pay those charges.

2337. Do you not think that an enclosed market-place would be an advantage?—I do.

2338. Could the market-place be enlarged so as to afford ample accommodation for all the hay and straw which is brought into it for sale?—I think it could, by opening it down to Phœnix-street.

2339. Can you suggest any thing in addition to what you have already stated?—No; we have made two reports recently of the state of the market to the Corporation: one was upon the 8th of November, 1851, the other upon the 9th of December, in the same year. I could furnish them to the Commissioners.

168.
Mr. Boshell.

Mr. *Boshell* examined.

2340. What is your occupation?—I am the weighmaster at the second weigh-bridge belonging to the Corporation.

2341. Can you suggest any thing in addition to what has been already stated by Mr. Browne, respecting the hay and straw market?—I cannot. I have only been recently appointed to my present situation, but I concur in all that Mr. Browne has stated.

169.
Mr. Thos. Longan.

Mr. *Thomas Longan* examined.

2342. What is your occupation?—I am the inspector of the market, and have been so for about three years.

2343. Can you suggest any thing in addition to what has been already stated by Mr. Browne?—I cannot. I concur with him in every respect.

170.
James Taylor, esq.

James Taylor, esq., examined.

2344. What is your occupation?—I am a merchant. I was for some time in the hay rade, and I wish to make a few observations upon the system adopted in Smithfield market.

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170. James Taylor, esq.

Upon one occasion, my partners and myself lost £80 from the effects of that system. We bought hay at 30*s.* per ton in Dublin, shipped it to Liverpool, and sold it there at £3 10*s.* per ton, and yet we were losers to the above amount. I would oblige, as is the case in England, all farmers to bring their hay, in trusses, into the market; as under the present system, the carmen, who buy a great deal of hay in Dublin, but require only a small quantity at a time, are prevented from buying in Smithfield market, and have to purchase from forestallers; besides, the present system of selling by loads, renders it almost impossible to ascertain whether the interior of the load is as good as the exterior. Such an alteration would be a great advantage to persons purchasing hay for export, as I would give a much larger price for hay, so made up, than under the present system. This mode has been found to work well in England and Scotland, and I cannot see why we should be behind our neighbours. I do not wish to cast any imputation upon the persons having the management of Smithfield market, but I would consider it beneficial to both buyer and seller, that all hay brought in there for sale should be made up in trusses.

2345. Are persons compelled by law in Liverpool to bring their hay into the market in trusses?—I cannot say whether it is compulsory or not. A great quantity of hay brought into Smithfield market is, I understand purchased by dairymen, for the purpose of ricking it.

2346. How could the hay be ricked, if it was brought made up in trusses?—There would be, undoubtedly, a difficulty in that case, but I would invest a hundred pounds in hay, if it were made up as I have suggested.

2347. Is there any thing to prevent persons bringing their hay made up in that way at present?—There is not.

2348 Do you think the present charges in the market reasonable?—I cannot say; I never gave the matter any consideration.

2349. Are not frauds practised in the sale of straw, which is made up in bundles?—I believe there are, but it is not so likely that they would be successfully practised where the commodity is made up in small parcels, as where it is sold in bulk.

2350. Do you buy in the butter market?—I do; I think there ought to be one general market in this town, established upon the principle of the Cork markets.

Mr. *John Archbold* examined.

171. Mr. John Archbold.

2351. What is your occupation?—I am deputy-weighmaster of the Little Green butter-market; I was appointed by the Lord Mayor and officers of the Corporation. I have held the office since 1843.

2352. Have you been sworn under the 4th Anne, c. 14?—I have.

2353. Who is the owner of the market?—It belongs to Clarkes, minors.

2354. What are the charges made in the market for weighing?—Two pence per firkin for storage, cranage, and furnishing crane notes.

2355. Is butter inspected in the market?—It is not.

2356. What is the commission charged by the salesmasters?—Nine pence for each firkin or cool.

2357. Can any person sell in the market, without employing a salesmaster?—They can.

2358. What are the deductions made in weighing butter in the nature of tret or beamage?—Four pounds from every hundred-weight,

2359. Do you weigh standing beam or down weight?—Down weight.

2360. What is the smallest weight you use?—We weigh to a pound.

2361. Do you tare the firkin?—We do; but we weigh the cools net, taking the butter out of them.

2362. Is much butter sent into the market in an improper state?—Not a great deal.

2363. Can you suggest any improvement in the present system?—No; I think it is a very fair one.

2364. How many butter markets are there in Dublin?—Four: Thomas-street, Spitalfields, Kevin-street, and Little Green.

2365. What is the greatest quantity of butter sold in one year in your market?—From thirty to forty thousands cools or firkins.

2366. What is the amount paid for standing in the market-place?—About a halfpenny for every square foot.

2367. What are the frauds principally practised in your market?—The frauds consist in remaking the butter, and mixing it with various ingredients, such as annato and turmeric, for the purpose of improving its colour.

2368. Does the remaking and washing the butter injure it?—I do not think it does.

2369. Does colouring it with annato and turmeric injure the butter?—I have heard it stated that it does not.

Mr. *Wm. Magrath* examined.

172. Mr. Wm. Magrath.

2370. What is your occupation?—I am a dealer in butter, fowls, and eggs.

2371. Can you suggest any thing in addition to what has been stated?—Great frauds prevail in the butter market, and the butter which is sold is generally made up of water and salt, which forms three parts of it. Mr. Archbold does not care about the quality of the butter, provided it is weighed with him.

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173. Mr. Macken.

Mr. *Macken*, examined.

2372. What is your occupation?—I am deputy-weighmaster of the butter market in Thomas street. I was appointed by Mr. Eaton, who was formerly weighmaster in that market, and who rents the market from me, as the ground upon which it stands is mine.

2373. What quantity of butter is sold and weighed in the market?—Very little at present. The gross amount received for weighing last year was only £6 6*s.* 4*d.*

2374. Have you taken the oaths of office, under the 4th Anne, c. 14?—I have.

2375. Was much butter formerly sold and weighed in that market?—A great deal. Upon the passing of Sir H. Parnell's Act, Mr. Eaton received £380 annually, as compensation. I make a return to Government of the amount received by me for the weighing and inspection of the butter sold in the market; but Mr. Eaton does not receive anything, except the above compensation. He pays me a salary for performing the duty.

2376. What charges do you make for weighing and inspection?—Two pence for every firkin, and 2*d.* for every cool.

2377. What deductions are made by you in the nature of beamage from the gross weight of the butter?—One pound for every twenty-eight pounds; two pounds for every fifty-six pounds; three pounds for every eighty-four pounds; and four pounds for every hundred-weight.

2378. Do you tare the firkin besides?—I do.

2379. Do you weigh standing beam or down weight?—Down weight. The scale in which the firkin is placed must touch the ground.

2380. To what do you attribute the falling off in the receipts?—To the inspection being rendered unnecessary. The sellers resort to those markets in which there is no inspection.

2381. Is much fraud practised in making up the butter brought into the market?—A great deal of butter comes into the market in an improper state.

2382. It is said that various ingredients are mixed with the butter to improve its appearance, and defraud the buyer; what are the ingredients used for the purpose of adulterating the butter?—Carrots, potato-flower, and even yellow soap, is stated as being used.

2383. Have you ever known carrots used for that purpose?—I have heard it said that it was mixed in it, to give it a high colour.

2384 Is the same quantity of butter exported from Dublin as formerly?—No, I believe not. Under the present system, a man must qualify the butter himself.

2385. Have you ever heard of the Dublin merchants making a second quality a first?—I have.

2386. Can you suggest any improvement in the market?—Great improvements might be effected, as there is at present no system in the market. A person may buy as he chooses; and the consequence is, that the poor suffer considerably, by having an inferior article imposed upon them. Dublin butter does not rank as highly as it formerly did; and I attribute that to the change of the system.

2387. What would be your opinion of one general market, in which all the butter sold in the town should be weighed and sold, with sufficient accommodation, an efficient staff, and under the proper supervision of a sworn officer?—I think that such an arrangement might be inconvenient to some of the sellers. I do not think it would do to concentrate all the markets in one locality.

2388. How many firkins of butter did you inspect and weigh last year?—I think, about 600 firkins.

174. Mr. John Shaw.

Mr. *John Shaw*, examined.

2389. What is your occupation?—I am the deputy-weighmaster in Kevin-street market; Carroll is the weighmaster.

2390. Who is the proprietor of the market?—The Archbishop of Dublin. He is, I am informed, bound to keep the market open by terms of his charter.

2391. What is the principal produce sold in Kevin-street market?—Butter; some hay is also weighed there.

2392. Have you taken the oaths of office, under the 4th Anne, c. 14?—I have not.

2393. How long have you been deputy-weighmaster in the market?—Since the year 1848.

2394. Is any charge made by you for weighing butter?—Not for weighing for the factors; but we charge the public who weigh at our scales 1*d.* per draught. Very little butter is weighed at our scales, unless in the case of a dispute between the seller and the factor.

2395. What quantity of butter did you weigh last year?—I cannot tell. I did not receive as fees for weighing butter more than 3*d.* or 4*d.* The sellers generally bring their butter direct to the factors, who weigh it for them.

2396. Do all the factors who deal in your market weigh in their own stores?—No. Formerly all the factors were in the habit of weighing in the market; but some misunderstanding having arisen between them and the person employed as weighmaster, they discontinued doing so; and now but two of the factors weigh in the market, and are not charged; but the remaining seven weigh at their own stores. There are only nine factors who deal in the market.

2397. What salary do you receive from the Archbishop of Dublin?—£1 per week.

2398. What was the gross proceeds of the market last year for weighing all sorts of produce?—£23 10*s.* 1*d.*

2399. Have you any other occupation than as deputy-weighmaster?—Yes; I am the inspector of weights and measures for the manor of St. Sepulchre; I have been appointed to that situation by the Archbishop of Dublin, and I account with Mr Carroll, his agent, for the fees I receive.

174. Mr. John Shaw.

2400. What are the charges made by you for weighing hay?—Whatever I can get.

2401. What are the charges for weighing oats?—One penny per barrel. I charge the same for any thing under a barrel. If only a stone was weighed I would charge 1*d.* for it.

2402. Is much adulterated butter sold in your market?—Very little, I should say.

2403. The market is in a very ruinous and dilapidated condition; why is it not put in better repair?—It is not worth while for the Archbishop to do so, as he only rents the premises from year to year. He does not charge the factors any thing for weighing for them; only two of the factors avail themselves of that privilege, and that is because they have no scales of their own. The rest weigh at their own scales.

2404. What rent does the Archbishop pay for the premises?—He pays £200 per annum. I have heard Mr Carroll, his agent, say, that he would be very glad to get out of it, as he loses very considerably by it. At the time Mr. Russell was weighmaster, the profits of the market were £300 per annum.

2405. If the premises were put in good order, and a market with sufficient accommodation and a sworn weighmaster, was provided, do you think the market might be made a profitable business?—I think it might, as all the butter from the counties of Wexford and Wicklow are brought to it.

Mr. John Bowden examined.

175. Mr. John Bowden.

2406. What is your occupation?—I am weighmaster at the new market on the Coombe.

2407. Is much agricultural produce sold in the market?—No; there is no regular market, and the great proportion of the agricultural produce sold there is sold by the bulk.

2408. Who is the proprietor of the market?—Lord Meath. A company took it from him, but finding they could not make anything out of it, they gave it to me. I pay a rent for it to Mr. Wall.

2409. What are the charges you make for weighing?—I have no fixed charges; but I generally charge 5*d.* per ton for weighing hay; 4*d.* for straw, if under fourteen hundred-weight, and 6*d.* if over fourteen hundred-weight. I charge whatever I can get; the sellers come and make their contract with me beforehand, as to what they are to pay.

2410. What is the principal produce sold in the market?—Bark; and I get for weighing it about 5*d.* or 6*d.* a load.

2411. Do you keep a book in which you enter the quantity sold, price, and amount?—I keep a book in which I enter the quantity sold.

2412. What were your gross receipts for weighing last year?—Fifty pounds; but I pay a rent of £15 4*s.* per annum for it.

2413. Was there ever a regular market there?—No, there was not, as there are no factors in the neighbourhood. Kevin-street market interferes with it very much, and has injured it. At the time of the dispute between the Archbishop and the factors in that market, I was employed at Kevin-street market; the cause of the dispute was the factors insisting on weighing their butter at their own stores.

2414. In what capacity were you employed at Kevin-street market?—I was the deputy-weighmaster.

2415. Have you any beams and scales in your present market?—I have not, I have only a weigh-bridge.

2416. Have you ever taken the oaths of offices under the 4th Anne, c. 14?—Not since the year 1827, when I was sworn at Kevin-street.

Mr. Nicholas Lawlor examined.

176. Mr. Nicholas Lawlor.

2417. What is your occupation?—I am the lessee of Spitalfields market.

2418. Who is the proprietor of the market?—I believe the Society of Swift's Hospital. They leased it to us, and we leased it to the Corporation.

2419. What is the principal produce of the market?—Bacon and butter; the Corporation pay us £50 per annum; we deal as factors in the market.

2420. When you deal in the market, do you pay like any other individual?—We do; we pay just as if we were strangers.

Mr. Hunter Pettigrew examined.

177. Mr. Pettigrew.

2421. What is your occupation?—I am the weighmaster of Spitalfields market. I account to the Corporation, by whom I have been appointed, for all the money I receive, and get in return a fixed salary.

2422. What are the charges you make in the market for weighing?—One penny for each pig for bacon: 2*d.* for each cool, and 3*d.* for each firkin of butter. There is generally a pig and a-half in each draught, for which we always charge 2*d.*; we charge 10*d.* for each carcase of beef.

2423. Do you weigh standing beam or down weight?—The scale must touch the ground or I do not consider it to be weight.

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177. Mr. Pettigrew.

2424. What is the smallest weight you use in weighing in the market?—We use nothing under one pound.

2425. What deductions are made from the gross weight, in the nature of beamage or other allowances?—Four pounds from each hundred-weight, in bacon, and the same in hams; in butter, if the cool exceeds fifty-six pounds, two pounds for beamage, and under that weight, only one pound for beamage. If the weight of the cool or firkin be a hundred-weight, or if it exceeds three-quarters of a hundred-weight, three pounds.

2426. Would it not be a much fairer arrangement for to weigh standing beam, and let the sellers and purchasers regulate their prices accordingly?—I think not; the buyer knows beforehand that he is to get those allowances, and gives a larger price in proportion; besides which, he is obliged, if a private purchaser, to pay 3*d.* for taking home the article.

2427. Is any larger allowance made in the case of wet bacon?—It is generally weighed gross, and there is no fixed allowance for it; the allowance is confined to dry bacon.

2428. Is a stone always calculated at fourteen pounds?—It is.

2429. Is a hundred-weight always calculated at one hundred and twelve pounds, avoirdupois?—It is.

2430. What are the gross annual proceeds of the market?—I cannot say from recollection; I always lodge the money as I receive it.

2431. Can you suggest anything in addition to what you have already stated?—Yes. I should state, that great inconvenience results from the passage to the market being very narrow, so much so that it is impossible for a man with a beast or a float to get through it: this might be improved at a trifling expense.

2432. Is there any inspector in the market?—There is not.

2433. Is much adulterated butter brought into your market?—No; I never heard of butter having been mixed with soap, as stated by a former witness.

2434. Does much washed butter come in?—I have heard there is, but I am not aware of it of my own knowledge.

2435. Has any diminution taken place in the quantity of butter brought into your market in the last few years?—There has been a decrease in the quantity of butter brought in in firkins, but there has been an increase in the open butter. At present, the firkin butter goes direct to the merchants' stores, for transhipment.

2436. Do you think that it would be an improvement to have the butter go into the market, as formerly, before it is taken to the merchants' stores?—I think that such an arrangement would cause an increase in the trade, and put a stop to fraud.

2437. Was much fraud practised under the old system?—There was not.

2438. Who was the inspector in former times?—Mr. M Cabe and Mr. Macken.

178. Mr. Nugent.

Mr. Nugent, examined.

2439. What is your occupation?—I am a factor; I purchase largely in Spitalfields market.

2440. You have heard what has been stated by Mr. Pettigrew, can you add anything to what he has said?—I cannot, except that he has stated that four pounds are deducted from the gross weight of every pig; and I should wish to observe, that such an allowance is absolutely necessary, as it frequently happens, that a quantity of the salt remains in the hollow of the shoulder of the pig. This cannot be detected until the pig is cut up, and is the reason why that deduction is made.

2441. What would be the weight of the greatest quantity of salt which could remain in the shoulder?—I should say about half a pound.

2442. Could not the factor allow for that quantity of salt if this allowance or deduction were done away with?—It might be very inconvenient to him, and, under the present system, he has four pounds to cover his loss, if any.

2443. Would not a man who brought in his pig in good order, under the system I suggest, get a better price for it?—He would.

2444. What commission is charged upon selling pigs?—One shilling is charged for factorage.

2445. What is the charge for commission on butter?—One shilling per cool if its price exceeds 20*s.*; and if it is under that price, 10*d.* The factor has to pay 2*d.* for weighing out of that, which reduces his commission to 10*d.* or 8*d.*

2446. Can you suggest any further reason against doing away with beamage altogether, and regulating the price accordingly?—I think it would be inconvenient to the factor; there is no doubt but that he could do so. I think, however, that it would lead to litigation.

2447. What are the deductions usually made in selling fresh pork?—Six pounds on each pig, for feet, blood, and guts. I may observe, that a factor is obliged to pay his men 3*d.* for each pig they bring home. If you did away with the allowance of four pounds, they could not afford to do so.

2448. What number of pigs do you purchase annually?—About 1,000 in the year; I also sell a great quantity of bacon, and have to make the same allowance or deduction for beamage in its sale as other sellers; so that in speaking against doing away with it, I am speaking against my own interest.

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Mr. *William Garrett* examined.

179.

Mr. William Garrett.

2449. What is your occupation?—I am the salesmaster in the Little Green market.

2450. Can you suggest any thing in addition to what has been already stated?—I wish to state that the system in that market is very irregular as regards eggs, in which I deal principally. The charges for a standing of a box containing 120,000 eggs is only 1*s.* 6*d.* or 1*s.* 4*d.*, whilst the charge for a crate containing 50,000 or 60,000, is 1*s.* 2*d.*; the charge ought to be in proportion to the quantity, but this is not so. Besides which, the appropriation of the stalls is not fairly carried on. I think a person ought to be charged according to the ground he occupies, and not according to the quantity his box or crate contains. If the market afforded more accommodation it would be an advantage to the dealers during the egg season.

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3rd November, 1852.

180.

Mr. Michael Finn.

2451. Mr. *Michael Finn* addressed the Commissioners, and stated, that in consequence of what appeared in the morning papers of this day, he had attended for the purpose of removing any impressions that might exist in the minds of the Commissioners, as far as his own conduct was concerned; and with that view was anxious to give every information in his power connected with the markets of Smithfield, in which he was one of the weigh-masters, having succeeded his father, who had been appointed weighmaster by Mr. O'Connell, when Lord Mayor.

2452. Do you charge the factors less than you do any other person for weighing hay or straw?—I do not; I sometimes pay the man loading 2*d.*, or some similar amount, to get him a pint of porter, but do not allow $\frac{1}{4}d.$ per hundred-weight, or any other amount to a factor. I always charge $\frac{1}{2}d.$ per hundred-weight for weighing, and never less.

2453. Is it the buyer or seller pays for weighing?—The seller always.

2454. Are you under the control of the Lord Mayor or Corporation?—No; I am under the control of no person or body whatever, but am, of course, liable by law for any fraud I may be guilty of.

2455. Have you any suggestions to offer for the improvement of the market?—I think that an act should be passed, prohibiting any person weighing hay or straw within half a-mile of Dublin; and upon such an act being passed, there will be no difficulty in treating with the weighmasters generally, who are quite willing to give up their occupation upon receiving a fair and even moderate compensation. About £800 per annum among all the weighmasters, would, I am quite sure, satisfy them, divided among them for their respective lives, in proportion to their profits on weighing. If the market was then enlarged, by carrying it, in the direction of the river, down to the quay, it would, I have no doubt, bring the Corporation an additional revenue of £2,000 a-year; and of course as the present weigh-masters die off, the Corporation will receive a further revenue by their compensation falling in. The weighmasters, however, cannot be treated with until an act, such as I referred to, is first passed, as otherwise there would be nothing to prevent any other person setting up a weigh-bridge, after the present weighmasters had been settled with.

2456. Under what authority do you act as weighmaster?—Under the Dublin Improvement Act, and only during the pleasure of the Lord Mayor.

2457. Are there many frauds committed in the market with respect to weighing?—Not at present; I do not hear of them.

2458. Do any frauds connected with the purchase of hay and straw by gentlemen's servants exist in the market?—I believe they do exist, but very rarely now. In one case, I remember, Sir Timothy O'Brien, on weighing a load of hay on my weigh-bridge, found a deficiency of two and a-half hundred-weight, from the weight in the ticket furnished by another weigh-master. Sir Timothy had it then weighed on Mr. Browne's weigh-bridge, and the weight agreed with that furnished by me. The seller then consented to receive the price of the lesser quantity. Another fraud, of a different character, is sometimes practised. A factor will agree to take a load at a larger price per hundred-weight, provided the seller will give him a hundred-weight or two in—that is, charge him for one or two hundred-weight less than the load consists of; and thus the factor selling recommends himself to his customer, by appearing to sell for a larger price than another factor, not making use of this deception, does.

2459. How often do you weigh the empty carts?—I tare the carts summer and winter. I think it would be better in all cases not to issue a ticket until the cart is tared.

Mr. *James Mulvany* examined.

181.

Mr. Jas. Mulvany.

2460. What is your occupation?—I conducted business for Mr. Holmes, in May-lane, it is not in Smithfield market.

2461. Does Mr. Holmes account to the Corporation?—He does not.

2462. Would it not be better to put the whole market under the Corporation?—It would.

2463. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the produce brought to market should be sold and weighed?—I would.

2464. Are there many frauds in the market?—Not many since Mr. Browne was appointed weighmaster to the Corporation.

2465. Are there any frauds which would render any changes advisable?—If there are

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181. Mr. Jas. Mulvany.

they do not come under my observation. I heard of frauds, but could not give proof of them.

2466. Are you in partnership with Mr. Dodd?—No; I have no interest in the weigh-bridge.

2467. Is it the fact that Mr. Dodd requires all the hay and straw bought for him to be weighed in Mr. Holmes's scales?—Mr. Dodd pays a fixed sum for the use of the weigh-bridge to Mr. Holmes.

2468. What do the farmers pay for weighing to Mr. Holmes?—One halfpenny per hundred-weight. I do not know the arrangement made by Mr. Dodd for the use of the weigh-bridge.

2469. Are there any other factors who pay less than ½*d.* per hundred-weight?—No.

2470. Does Mr. Holmes give money to persons who bring loads to be weighed at his weigh-house?—He may, occasionally, give 2*d.* or so to the porter.

2471. Do you ever give tickets without tare being marked upon them?—I generally mark the tare upon every ticket, and never issue one without it, unless to a person I am very well acquainted with. I think that new figures should be put upon all the carts that now frequent the market, and a heavy penalty inflicted upon the owner of a cart which was found heavier than the weight at which it was registered.

182. James Pointing.

James Pointing examined.

2472. What is your occupation?—I weigh for Mr. Addey, who has a weigh-house.

2473. What does he charge?—He always charges ½*d.* per hundred-weight; on one occasion he charged only 6*d.* per load. I never knew of his charging less, or of his returning part of his weighing fees to any factor.

[*Mr. Browne, the weighmaster to the Corporation, produces several tickets, the tares upon which had been altered after the ticket was issued; and makes the following statement*]:—I know of Mr. Gresham having, four or five years ago, paid for five hundred-weight of hay more than was delivered. An inquiry was made by him at the time, and the parties who had practised the fraud, dreading exposure, the amount which he was overcharged was left at his house during his absence.

2474. Are the tickets ever filled up without the hay or straw having been weighed?—Yes, I know of weighmasters' tickets that were obtained and filled up, without the carts ever going to the weigh-bridge. I also heard that £500 was on one occasion given to Mr. Dycer, of Stephen's-green, to prevent proceedings being instituted by him, for some fraud of this nature.

2475. Did you ever know of tickets being filled up by a factor, without having weighed the load?—I never knew of its being done, unless with the consent of seller and buyer.

183. Mr. Browne.

Mr. *Browne* examined as to cattle-market at Smithfield.

2476. Under what authority is the cattle-market at Smithfield held?—Under the Corporation and the Dublin Improvement Act.

2477. Are tolls paid in it?—They are not.

2478. Could I send cattle and place them upon any man's standing in the market?—You could not. The houses around the market are let at a very high rent, and the frontage goes with the houses. The parties occupying the houses claim a prescriptive right to the ground, but are not entitled to it; although they put up pens upon their frontage every cattle-market day, they are obliged to remove them for the hay markets.

2479. If I put my cattle upon the ground now occupied by a salesmaster, would he drive them off?—He would not do so himself, but a number of the drivers employed in the market would do so. The whole of the ground of the market is taken up by the pens of the salesmasters.

2480. Is it possible for any man to sell cattle in Smithfield without paying commission to a salesmaster?—It is not.

2481. Do you know of an instance in which a person who endeavoured to sell cattle in Smithfield was interfered with and prevented?—Yes. Mr. Ganly, of Usher's Island, commenced business as a salesmaster, and he could not get one foot of ground in the market, and, therefore, put up his pens in a street outside it. A complaint was made to the Lord Mayor that he was creating an obstruction in the street. An order was given by the Lord Mayor, to have him removed and clear away the obstruction. Mr. Ganly showed the Lord Mayor, that if some carts, which had no occasion for remaining in the street were removed, the obstruction would cease. The Lord Mayor directed them to be removed; and since then Mr. Ganly has had sufficient room for selling, without interfering with the passage to and from the market. If the present market was enlarged, and opened into Phœnix-street and Brunswick-street, there would be sufficient room for every person to sell for himself, and it would bring a large revenue to the Corporation. At present, if any farmer was to put his sheep into any of the existing pens, the ropes would be cut, and the sheep hunted away by the drovers.

184. Mr. William Stuart.

Mr. *William Stuart*, examined.

2482. Do you know the manner in which sales of cattle are conducted in Smithfield?—Yes; I served my time in that market, but could not set up there as a salesmaster, without buying a house there, in order to get possession of the ground in front of it.

2483. Would opening the market to Phœnix-street and Brunswick-street, afford sufficient

accommodation?—I think it would. It is the owner of a house that claims the space in front of it. Mr. Aunger has the frontage he occupies by long usage.

2484. Is there sufficient accommodation in the pig-market?—There is not.

2485. Would it not be easier to establish a new market than to enlarge Smithfield?—Smithfield is the best place for the market, being very convenient to the principal railways.

2486. What is the commission charged by the factors?—It is usually 2½ per cent.

2487. Can a man sell his own cattle in Liverpool market?—I understand he can.

184.
Mr. William Stuart.

Mr. *Boshell* examined.

185.
Mr. Boshell.

2488. Do all the salesmasters in Smithfield market charge the same commission?—They do. The regular charge made for selling cattle is 2½ per cent., and that is the charge made by all of them, except Mr. Ganly, who has recently set up a standing outside the market, and only charges 1¼ per cent. He charges only 3*d.* in the pound, upon the condition that he should be paid ready money by the purchasers. He does not, however, on all occasions, oblige the purchasers to pay in cash, upon the sale, but when he sends after a reasonable time for the amount, he must get it.

2489. What credit do the salesmasters generally give?—From seven to thirteen days. When a buyer takes cattle to the Liverpool market, he pays on his return.

2490. Does Mr. Ganly generally get as good a price as the other salesmasters?—I cannot say. I have heard no complaints. On account of the salesmasters giving too long credit: some of the butchers are entirely supported by the salesmasters; and to them, I believe, they give long credit.

2491. Have you heard of many losses sustained by salesmasters in consequence of their giving long credit?—Not very often. There was recently a large failure amongst them.

2492. Can you suggest any thing in addition to what you have already stated?—I should suggest that the market requires to be enlarged, and that more space should be afforded, for the purpose of enabling farmers to sell their own cattle.

2493. Suppose a large market-place was opened, do you think the salesmasters would monopolize all the places in it?—They should be controlled in that respect, and not allowed to take up all the room of the market. The present accommodation is sufficient, and no person can sell without paying the commission fee of 2½ per cent., unless he sells at Mr. Ganly's standing, in which case he only pays 1¼ per cent.

Mr. *Philip Creagh* examined.

186.
Mr. Philip Creagh.

2494. What is your occupation?—I am connected with Mr. M'Dermott's establishment, who is a salesmaster and factor; he also keeps one of the weigh-houses.

2495. At your weigh-bridge, do you make a return to any person?—No.

2496. What are the charges for weighing at your weigh-bridge?—One halfpenny per hundred-weight. Mr. M'Dermott, who is a factor, always pays for weighing his own hay and straw, and does not derive any benefit from the weigh-bridge, which is exclusively appropriated to the benefit of his nephew and neice, who are entitled to the fees of it.

2497. Does he ever give money to the carmen bringing hay or straw to be weighed at his weigh-bridge?—He sometimes gives some little gratuity, such as a pint of porter, or a couple of pence, where there are two or three loads, but he does not do so to bring custom to his weigh-bridge.

2498. Is Mr. M'Dermott in the corn trade?—He is.

2499. What are the charges for selling corn on commission?—The same as on cattle—6*d.* in the £1; sometimes commission is charged at the rate of 3*d.* per barrel.

2500. Does he sell corn at the corn market?—He does.

2501. When the farmer delivers corn at the merchants' stores, is it always weighed?—It is not; one sack is weighed as a test for the entire.

2502. Is any other charge made upon the farmer except commission?—No, unless his own men are unable to hoist the corn into the merchant's lofts, in which case he is obliged to pay men for doing so.

2503. What is the system of weighing adopted at the merchants' stores?—They take down weight, and allow seven pounds for the weight of the empty sack, and two pounds for beamage. The scales in which the sack is must go to the ground. The empty sacks are sometimes tared.

2504. What is the smallest weight allowed for in paying for corn?—They do not allow for less than one stone.

2505. Is all the corn brought to the merchants' stores, made up in barrels?—It is.

2506. What would it take to bring the scales at Mr. M'Dermott's stores from standing beam to down weight?—About half a pound.

2507. How can the farmer manage to weigh his sacks, or make up his corn in barrels, where he has no scales at home?—There are scales in the factor's yard, in which the farmer can trim his sacks, without any charge.

2508. Does not the factor sometimes cut back the farmer, upon the ground that the corn is not equal to sample?—They frequently do, although the corn is fully equal to the sample.

2509. Would it not be better to have all corn sent in, and sold and weighed, instead of having the corn sold by sample?—I think it would: the farmer gains considerably by not being obliged to send in his carts and horses, and his men, with his corn, until after it is sold; but at the same time, he is very often unjustly cut back when a fall takes place in

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186.
Mr. Philip Creagh.

the market. The farmer is also induced to bring in his corn, upon the agreement that he is to get a certain price for it, and is afterwards cut back. The farmers are well acquainted with this contrivance, and I have heard farmers say, when they heard who were the purchasers of their corn, "This will, when it comes in, be made sixpence a barrel less."

2510. Does the factor, when he seeks to cut back the farmer, give him an opportunity of taking away his corn, if he does not accede to his terms, or does he wait to cut him back until the corn is emptied on the loft?—The merchant generally tells the farmer that he will cut him back, when the first sack is emptied on the loft; and then the farmer thinks it better for him to submit to a reduction of 3*d.* a barrel on his corn, than take it away, and lose the day's market.

2511. Does the farmer, when he has sold a number of sacks of corn, ever neglect to bring them in for delivery?—Frequently.

2512. How, then, can any accurate return be made of the quantity of corn actually sold, if the sale is made by sample?—It cannot be done with any degree of accuracy. If Mr. Arkins were here he might tell you, but I cannot.

2513. What is the weight of a barrel of wheat?—Twenty stone; but a barrel of wheat in this town usully consists of 292 pounds.

2514. What is the weight of a barrel of oats?—Fourteen stone; but a barrel of oats in this town usually consists of 198 pounds.

2515. In selling cattle by commission, is there not a charge for a boy, in addition to the two and a-half per cent?—In the sale of sheep, there is a charge of 6*d.* for the boy who attends the pen, and who is responsible for the sheep, and which is paid by the seller.

187.
Mr. John Classon.

The following letters, relative to the Dublin markets, were received from Mr. *John Classon* and *Sir John Kingsmill*, with a request that they might be inserted with the evidence.

Dublin, November 3, 1852.

Gentlemen,

Great good and public satisfaction may be expected as the result of the investigation you are about to make into the state of the Dublin markets. Here is, indeed, a field for improvement. I shall, however, confine my observations solely to the Smithfield hay-market; and I undertake to prove that there is not a match for this market, in loss to both seller and buyer, to be found in Europe; and, in fact, that the wanton deterioration of property, and the consequent loss to the public (both seller and buyer), amounts, in the county of Dublin alone, to more than the whole poor rate of this city. To elucidate this, I beg to call your attention to the general practice of the farmers resorting to the Dublin market. The cutting the meadows may be considered as commencing from the beginning of June, and continuing to the end of July; the hay, after being made, is placed out in the fields, in what are called field-cocks, instead, as is the case at all well regulated farms, being drawn in, and made into rick. The hay thus left out in those field-cocks—and often very small ones, with a view to the future auction—is left to its fate, from sun, wind, and rain, as well as capillary attraction, from the damp ground, to rot some inches of the bottom. After the lapse of weeks, perhaps months—I have known those field-hay auctions to take place up to the month of December; but suppose they take place earlier, say in August, September, or October, still the loss to the unfortunate dairyman or stable keeper, is immense; they look at the bulk, but where is the greater portion of the saccharine, the really nutritious part, gone to but to the elements. Such is generally the case with the buyers of hay from the fields, which has been out in those abominable field-cocks for four, five, six, aye, up to ten or twelve weeks. But suppose the auction does not succeed, the hay, after being ruined, is then to be drawn into rick, or, perhaps, sent into Smithfield market direct from the field, in October or November. No doubt many farmers would not be party to a dishonest act, and would not desire their servants to mix the rotted part (and the outside surface is as worthless for food), yet the practice exists, the temptation to do it exists, and the loss to the public takes place; although the great majority of them know not of it, it is nevertheless a sure and certain, though silent loss. So much for the field-cock system. Permit me here to give you a copy of a letter on this subject I received some years past; the character of the writer has a right to carry weight.

"Dear Sir, "Clonmel, February 10, 1840.

"Many thanks to you for your letter of the 7th instant, as well as the good advice you gave me some time since about my hay, by which I was so fortunate last year, as to commence cutting forty acres of meadow on Monday, and had it all in rick on the Saturday; and by which I have not only some of the very best hay in the country, but for little more than half the expense in making it under the old plan.

"I am your much obliged,

"Charles Bianconi."

I am happy to say that several enlightened farmers in the county of Dublin have successfully acted on the same system. It is, therefore, idle to say, that even in our heavy and succulent grass meadows it cannot be pursued, but, of course, it must be done with proper care.

I now come to the transmission of the hay to market. Here, again, loss and ruin, with increased temptation to fraud, and a *bonus* to pilfering takes place. Whether from

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the field-cock or the rick, the hay is tossed out loose to load, by which not only a great surface is exposed to the weather, and no matter how much rain falls no tarpaulin or cover—there it goes along the muddy road, the wheels throwing up to the sides of the load the dirt, the top receiving the rain, and the tail or back of the load a nice amusement for youth, in the early art of pilfering, by plucking the loads along the road. It is true the loss, in this latter case, falls on the farmer, but the other losses I have glanced at are quite enough, and too much for the public to suffer.

With reference to the ruinous management of the hay, from first to last, I will only trouble you with one instance, although I could give you many more; it is derived from my own experience. About twelve or fourteen years ago there was a great dearth of hay in Wales, and the price reached the enormous high rate of ten or twelve guineas per ton. On this tempting price a house in Dublin undertook to ship hay, and procured the services of a competent judge of the article, who was directed to buy in Smithfield what is called "the top of the market." This was done, and 100 tons shipped off—but look to the result. A letter was received from the house in Wales, after the receipt of the cargo, to the following effect:—"Send no more hay; we would not offer what has arrived to our horses, nor would they eat it. We shall be obliged to use it as litter, or put it under our ricks the coming season; it was once good, but it has been destroyed." And now, gentlemen, I think I have made out my case, and proved that the management of the hay crop, and mode of sending it to market, is about the most flagitious system that human ingenuity could devise for tempting to fraud, and causing loss to both seller and buyer.

I now proceed to show that by an alteration in Smithfield hay-market, there would be removed the greater portion, if not the whole, of those frauds and losses. I therefore propose that no hay shall be sold in Smithfield from the 1st September to 1st June, except in cut trusses; but that for the first three months of June, July, and August, hay may be sold in bulk, as at present, by those who like to do so, sent from the fields or otherwise. The good effect of this restriction would extend beyond the mere question of fraud in Smithfield; it would act as a wholesome coercion on the farmer to do that which he ought to do for his own interest, namely, to get his hay out of the field into rick as fast as possible, in order that he may not be shut out of the market from the 1st September. It may be alleged that compelling farmers to truss their hay would be inflicting a heavy expense on them—I do not believe it, when it becomes the general practice; and I think, on the contrary, it could be proved they would be gainers on the whole, and there is no doubt the public would.

I trust I shall be pardoned for this lengthened communication; but the article of hay is one of the prime necessaries of life, and, consequently, the market for it of great public importance.

I am, Gentlemen, very respectfully, your obedient humble servant,

JOHN CLASSON.

To the Commissioners appointed to investigate Markets, &c., in Ireland.

Sir *John Kingsmill's* opinion and suggestions.

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With respect particularly to the hay market in Dublin, where I have been in the habit of sending produce for some years, I think the system of management is unsatisfactory to the minds, and prejudicial to the interests of both seller and buyer, where they are obliged, as is most generally the case, to employ factors, carters, and others, to act for them.

I think it is a serious evil that the hay market should commence at so late an hour in the day, and continue so late at night. The market does not, in general, commence before ten o'clock, and is never brisk till after two o'clock; and, except on some extraordinary occasion, it is not cleared till after six, and often as late as eight at night.

These hours of sale necessarily produce throughout the whole market day great nuisance and interruption, attended with danger to carriages and passengers in the thoroughfares of the city, by the continual driving to and fro of carts laden with hay and straw.

Such a nuisance and interruption to the ordinary communications of a large and populous city like Dublin, *in the middle of the day*, does not exist in London, Liverpool, or any of the great towns in England or Scotland, and would not be tolerated there for a moment; and, as a matter of police, the city of Dublin ought to be relieved of such a nuisance.

This system of late hours is detrimental to the morals and habits of a large number of agricultural servants, and it amounts to absolute cruelty to the animals employed.

A carter arrives in Smithfield with horses and carts from a distance of some miles, having probably, loaded at an early hour the same morning. He stands till two or three, and often till four o'clock in the market, when his load is sold by the factor, and weighed at one of the weighing houses. He has then to drive it, perhaps to the eastern or southern extremity of the city, and oftentimes beyond. At its arrival at its destination the load may, and often is, rejected. He must then return again with it, however distant, to the market, to give the factor another chance of selling the hay, which he will do at a sacrifice of price. He has then to drive off again to deliver it, probably to some jobber or speculator who has been watching an opportunity for such a bargain. After labouring through some narrow and dark lane or gateway he unloads by candlelight, with the danger of throwing the whole city into a conflagration. He has then to return to Smithfield to re-weigh his cart, when empty; and by the time his account is settled with the factor, he is lucky if he gets away by eight o'clock. He is sometimes obliged, at that late hour, to load with manure as back

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carriage, and returns home to the farm, jaded and worn out, himself and his horse, at ten or eleven o'clock at night, probably with only a few shillings as the net produce of his sixteen or eighteen hours' hard work.

This is by no means an exaggerated or unusual occurrence; with slight modifications and occasional exceptions, this is a general picture of the Dublin hay market.

If bad weather comes on, or bad luck, the hay has to be stored for the next market or taken home again; or, what more generally happens, to avoid those inconveniences, it is sold at half its real value.

There are always a set of jobbers and speculators in the market watching for a turn in the weather, late hours, despairing carters, and returned loads. Their arrangements appear to be all well combined, unfairly to depreciate the price of hay, to take advantage of needy sellers, and to corrupt and demoralize the carters and others employed.

It is impossible for a farmer to protect himself under the present system, or for the factor to assist him.

There are great abuses and tricks as to the places of delivery—a carter has often to drive to a greater distance than stated, or return to the market with his load unsold, after the deception practised on him is discovered, if he does not choose to travel so far.

The power of the Corporation officer to seize and sell damaged hay has been often abused, and ought not to exist.

The practice of what is technically called "cutting," *i. e.*, reducing the price when unloaded, on the pretence of some defect in the quality, is often resorted to by scheming jobbers and dealers, perhaps by a combination with the carter, and if he is too honest to resist the temptation, he is offered the option of reloading and returning again to the market to re-sell at a disadvantage to his master.

The mysteries of the weighing-house are past discovery. I believe it to be full of fraud and deception, and a signal means of demoralizing farm servants who attend the markets.

The custom of paying a commission of 1½*d.* per hundred-weight to the factor, removes every stimulus to his exertions to obtain good prices. The practice ought to be changed to a commission or per centage, upon a graduated scale, on the money produced by the sale.

There is no farmer who does not believe that he is generally, perhaps always, mulcted in the weight as returned on the market note; and unless he has a weighing machine at home, to satisfy himself, he has no means of ascertaining whether his factor, his carter, the weighing-master, or the buyer, deals honestly by him, or whether he is the victim of one, or of all combined together.

The factor I employ has my entire confidence; but I am sure he has not the means of effectually protecting me against the malpractices of other parties.

The remedies or improvements I would suggest are these:—

1st. The market to open at four o'clock in the morning in summer, and at daylight in winter; and no hay sold in the market to pass through any part of the city for delivery after ten in the summer or after twelve in the winter, under a penalty. This would prevent nuisances, impediments, and dangers in the streets during the busy hours, of such a populous city It would ensure early habits (so much wanting in Dublin), and prevent demoralization amongst all persons employed. It would enable the carter to finish his market business, load manure for back carriage, and return home with his horse to rest at an early hour in the afternoon. It would prevent the dangerous use of candlelight for unloading a combustible article like hay or straw in the city. It would be the means of better regulating the supply and demand, ensuring a quicker sale, a fairer price, and would check many of the tricks and malpractices of the present system.

2nd. No hay should be sold, under a penalty, in the market, except made up in trusses or bundles of the regulated weight, as in the markets in England. Such a change from the present barbarous and wasteful practice of loading would enable *every* farmer, by the use of a common steel yard, to ascertain at home, at the cart's tail, the quantity he sends to market, and to check dishonesty as to weight either on the road or in the market.

Every gentleman in Dublin, and every horse and cow keeper could weigh by the steel yard, at his own place, in the same manner, and he would know by the number of trusses how much hay was put into his loft or store; and could regulate his daily allowance and consumption by the truss with such accuracy and nicety as to prevent fraud or mistakes by coachmen or servants. The process of weighing in this manner is practised in England, and is simple and expeditious; the weighing and re-weighing of the cart or waggon is unnecessary, as there is no tare to be ascertained, the article itself being the only thing weighed. I have often contemplated sending to market my hay in trusses, according to the English practice; but have always been dissuaded by factors, carters, weighing-masters, and others, all saying no one would look at it, as it was not the custom of the market. They may have answered, it is not the custon to be commonly honest in Smithfield.

3rd. With respect to frauds on the part of the seller, which I think trusses would effectually discover, I would recommend the severest measures; but as hay in trusses or bundles, and sold at early hours, would be more easily examined by the buyer than under the present system of loading, I think the contract in the market, as to price, should be binding; there should be no cutting or returning of loads, if *no fraud* appears on the delivery.

I need hardly say, I should think the present weighing-houses may be dispensed with entirely; but, if corporate purposes require it, let a toll be paid on every load brought into the market, and for that purpose the precincts of the market-place should be defined. I think also factors should be licensed like brokers, and be under bond, to deliver in a true return of quantity sold and price, after every market day, to some proper authority, in order

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to strike the true average for public information. It is scarcely credible that so great a difference should exist in the market price of hay in Ireland and England; and, perhaps a change in the practice of the markets may tend to a nearer equalization. The *retail* price in Dublin is generally from fifty to seventy-five per cent. more than the wholesale price of hay in Smithfield market. There is something radically wrong: the producer and consumer both suffer, the one receives too little and the other pays too much. I have often received only 1*s.* 8*d.* and 2*s.* per hundred-weight for hay in the market, when my friends in Dublin, purchasing at the same market, were paying 2*s.* 6*d.* and 3*s.* for the same, and even inferior quality. Many farmers on this side of Dublin think it better to sell their hay in the field at a great sacrifice, rather than encounter the mysteries and chances of the Smithfield market; and an intelligent farmer in this neighbourhood calculates his hay account for an—

		£	*s.*	*d.*	£	*s.*	*d.*
	Ordinary load, of 15 cwt., sold in Smithfield, at 2*s.* per cwt.,		—		1	10	0
Dr.	Loss of 1 cwt. on every 15 cwt. by the tricks of the road and the market,	0	2	0			
	Commission, 1½*d.* per cwt.,	0	1	10½			
	Weighing, ½*d.* per cwt.,	0	0	7½			
	Horse and cart, wear and tear, men's time loading, and carter's allowance, 4*d.* per cwt.,	0	5	0			
	Turnpike,	0	0	6			
					0	10	0
	Net profit, with a small load of manure as back carriage,				£1	0	0

With respect to the markets generally, I think it is of the utmost importance that a strict uniformity of weights and measures, quantities and numbers, and if practicable, of names of things and their component parts, should be enforced throughout Ireland. I think the whole law with respect to markets, which is distributed through many acts of parliament and bye-laws of corporate towns, should be consolidated and amended by one general act, applicable to the entire kingdom. In such an act, there should be incorporated all the wise and beneficial enactments which are found in many local and general acts for markets in England, so far as the same can be properly adapted to Ireland. I think the powers of the Summary Jurisdiction Act (Ireland), 1851, cap. 92, sec. 17, may be extended with advantage, to things not exhibited, but sold in the market by *samples;* in cases where the value does not exceed £20: the present limitation of £5 is too small.

The Statutes—4 Anne, cap. 8; 7 Wm. 3, cap. 17; 17 Geo. 2, cap. 5; 25 Geo. 2, cap. 15; 23 and 24 Geo. 3, cap. 19; 57 Geo. 3, cap. 108; 2 Wm. 4. cap. 21; 2 Wm. 4, cap. 34; 1 and 2 Vic., cap. 28, and 14 and 15 Vic., cap., 92, secs. 7, 17, and 18, will all require to be consulted, with reference to the many points involved in the important subject of the Irish market.

J. Kingsmill.

Hermitage, Lucan, 13th November, 1852.

To the Commissioners on Irish Markets.

Portarlington, November 4, 1852.

PORTARLINGTON,
4th November, 1852.
189.
James Johnson.

James Johnson examined.

2516. Where do you reside?—In Portarlington.

2517. What is your occupation?—I am weighmaster of this market.

2518. Under what patent or authority is this market held?—I do not know.

2519. When was the market established?—I cannot say.

2520. How often is it held, and what are the market-days?—Once a week, every Wednesday.

2521. Who is the present owner or patentee of the market?—I believe, the Earl of Portarlington.

2522. Are tolls paid in the market?—No; I have heard they were about thirty years ago.

2523. Is there an enclosed market-place?—No.

2524. Is all the agricultural produce sold and weighed in the market?—No; the greater portion is weighed in the merchants' private scales, and the canal stores.

2525. What is the quantity generally weighed and sold in the market?—A very small quantity; for instance, at yesterday's market, only one cart of corn and a small quantity of potatoes.

2526. Are you sworn under the 4th of Anne, cap. 14?—No. I am the weighmaster of this market. I bought it from a man who was, I believe, appointed by Colonel Damer on his going to America, and I have ever since acted as weighmaster. I find one set of scales and weights quite sufficient for all the produce brought into the market.

2527. Do the scales belong to Lord Portarlington?—I do not think they belong to any one. I hold them in right of my uncle, whom I succeeded, upon his going to America.

2528. Was your uncle a sworn weighmaster?—No.

2529. What are the charges for weighing corn?—One penny per sack for large draughts of corn, and ½*d.* for small quantities.

2530. What deductions in the nature of beamage or other allowances are taken from the gross weight of corn?—Seven pounds in large draughts, five pounds in small ones, for the empty sacks; no beamage is deducted.

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189. James Johnson.

2531. Do you weigh down weight or standing beam?—Down weight.

2532. What is the smallest weight you use in weighing?—Seven pounds. It is either seven pounds down, or nothing.

2533. Are the nature and quantity of all articles weighed in market entered in a book kept for that purpose?—No. I do not keep a book, I give a docket to the seller; but in case of his losing it, I could not give him another without re-weighing. I would not charge for such re-weighing.

2534. Could you furnish Government with any return of the agricultural produce weighed in the market, from any document in your possession?—No; I could not.

2535. What is the weight of a barrel of wheat?—Twenty stone.

2536. What of oats?—Fourteen stone.

2537. What of barley?—Sixteen stone.

2538. What of potatoes?—Twenty-four stone.

2539. Is a stone weight always calculated at fourteen pounds, avoirdupois?—It is; except in cases of wool, fat, and feathers, which are sixteen pounds.

2540. Does a hundred-weight always consist of eight stone of fourteen pounds, avoirdupois?—It does.

2541. What is the greatest amount of agricultural produce sold in one day?—I cannot say, as a great quantity of it is sold by sample, and delivered at the stores.

2542. Do you account to any one for the money you receive?—No.

2543. How many fairs are held in this town in each year?—Eight. There is no fair-green. The committee for the improvement of the town offered a field belonging to Lord Portarlington, but it lies so low that parties selling and buying prefer the old site.

2544. Is there an inspector of weights and measures for the county or district; and if so, how often does he visit the market?—There is an inspector who visits this town three or four times a year.

190. Mrs. Jane Price.

Mrs. *Jane Price*, examined.

2545. Does the weigh-bridge in this town belong to you?—It is not my own property, but I weigh with it.

2546. What are the charges for weighing?—Two pence each load. For that sum I weigh first the loaded cart and then the empty cart. If the load is a very small one, I do not charge so much.

2547. What amount do you receive in the year for weighing?—Not £5 in the year. Most of the hay sold in the market is bought by bulk, not by weight.

2548. Do you account to any one?—I do; to Colonel Parke and the committee for the improvement of the town.

2549. By whom was the weigh-bridge put up?—By Colonel Damer. I do not know who is the present owner, but it is on Lord Portarlington's ground.

2550. How long have you had it?—About seven years. I heard that I was returned in Mr. Griffith's valuation as owner in fee.

191. T. De Veaux, esq.

Thomas De Veaux, esq., J.P., examined.

2551. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the produce brought to the market should be sold and weighed?—I would; a good superintendent should be appointed, and the smallest possible charges made.

2552. What is the smallest weight used in weighing agricultural produce?—Seven pounds.

2553. Would it not be better to weigh standing beam instead of down weight, with as small a weight as one pound, and abolish all deductions, except the actual tare of the empty sack?—It would be a great improvement.

2554. How many fairs are held in this town?—Eight.

2555. Have you heard the mode of weighing at the canal and merchants' stores complained of?—I have; the sellers are sometimes dissatisfied.

2556. Have you any suggestions to offer for the improvement of the market, and the prevention of frauds in it?—I would suggest that the summary jurisdiction of magistrates should be extended in cases of fraud to £10, as numerous cases occur where the magistrates have no jurisdiction, as the goods sold amount to a greater sum than £5, but are less than £10.

2557. Would it not be better that the magistrates should have jurisdiction to investigate and adjudicate in every case where the amount of fraud charged did not exceed £5, irrespective of the amount for which the goods were sold?—That would be far preferable; I think the falling off of this market is in a great measure owing to the want of proper arrangements. The produce of the neighbourhood is taken to Mountmellick, which is a much better managed market. There is a fraud constantly practised by the buyers of pigs against the farmers; they purchase pigs from them in the morning, and in the evening object that they are measly, and cut down the price 5*s*. or 10*s*. This has been reduced into a regular system; and in most cases, as the amount for which they have been sold exceeds £5, the magistrates have no jurisdiction, and the farmer, to avoid the expense and delay of litigation in the assistant barrister's court, is obliged to consent to these reductions.

2558. Do you not think it would be much better to have a proper enclosed fair-green, instead of the public street; and that a small toll should be charged on all cattle entering it, instead of the present system of paying only on such as are sold?—I do.

Mr. *William Grange* examined.

PORTARLINGTON, *4th November*, 1852.

192.

Mr. William Grange.

Mr. William Grange stated—I am one of the committee who have the control of the weigh-house.

2551. Would you be in favour of a general market, in which all produce brought into the town to be sold should be sold and weighed, under proper supervision, and a small toll charged?—I would.

2560. Would it not be better to have a fair-green established by Lord Portarlington, instead of the present site where it is held?—It would; Lord Portarlington gave a field for the purpose, which, however, has not been used; it was complained of as too wet, but such complaint is unfounded.

Tullamore, 5th November, 1852.

TULLAMORE, *5th November*, 1852.

193.

Francis Berry, esq.

Francis Berry, esq., J.P., examined.

2561. Where do you reside?—In Tullamore.

2562. I believe you are agent to Lord Charleville?—I am.

2563. Under what patent or authority is the market in Tullamore held?—Under a patent granted in the reign of James the I.

2564. Can you produce the patent?—I cannot; but had it lately in my possession.

2565. How often is the market held, and what are the market-days?—Once a week, every Wednesday; there are, however, some few articles sold every Saturday.

2566. Who is the present owner of the market?—The Earl of Charleville.

2567. Is there an enclosed market-place, and is the sale of all agricultural produce confined to it?—There is an enclosed market-place, but a great deal of agricultural produce is sold out of it at the merchants' stores.

2568. Has a weighmaster been appointed, and have a sufficient number of beams, scales, and weights been provided?—Yes.

2569. Are any tolls paid in the market?—A shilling used to be paid on every carcase of beef sold, or else the owner of the market could claim the tongue; but I understand it is not now charged: we are, however, still entitled to it. I cannot state exactly what tolls are now charged.

2570. Who receives the tolls and customs?—They were leased by the Court of Chancery to Mr. Richard Willis, who at present holds them at £65 per annum. The tolls are paid by the seller.

2571. Who is the weighmaster of the market?—Mr. Robert Willis, son of Mr. Richard Willis, who rents the tolls.

2572. Are there any fairs held in this town, and are tolls charged at them?—There are fairs held in this town, but there are at present no tolls paid; tolls were charged until about the year 1843; at that time, in one of the fairs held here, the people objected to pay, and when the men stationed at the gap refused to let the cattle that were sold pass without payment, and were driving them back, the stipendiary magistrate interfered, and fined the toll-collector for cruelty to animals, for beating the cattle when the owner tried to force them through the custom-gap. Since then Lord Charleville has not demanded toll at any of the fairs held in this town.

2573. Is the market-place sufficiently large for the market, and is there a market-house in which the scales and beams are hung?—The market-place is fully large enough, but the market-house is too small, and the beams and scales are hung in the open space in front of it; the quantity at present sold in the market is not near as much as it used to be.

2574. To what do you attribute the falling off?—The extension of the canal to Kilbeggan is one cause, and the quantity of corn brought to Mr. Goodbody's mill, at Clara, for sale, is another.

2575. Do you not think it would be better that small tolls should be charged in the fairs, and proper accommodation provided in return?—I think tolls at fairs would be difficult to collect here, as they have been abandoned for some time.

2576. Would it not be better that the fair should be held in a properly enclosed fair-green, and that no proprietor should be allowed to levy tolls unless he provided a fair-green?—I think that they would object to an enclosed fair-green if they were obliged to pay tolls for it; at the same time, I think no proprietor should charge tolls unless he provided proper accommodation in return.

2577. Do you not think it would be better to charge tolls upon all cattle entering the fair-green whether sold or not, the proprietor finding a sufficient and convenient standing for them?—I do.

2578. Is the present place where fairs are held large enough?—I do not think it is, nor do I think it could be easily enlarged: there is about two statute acres in the fair-green: it would hold a great deal more than it does if they would not mix the sheep with the cattle.

2579. Does the patent give the amount of the tolls that may be levied?—I think it does.

TULLAMORE,
5th November, 1852.

194.
Richard Willis.

Richard Willis, examined.

2580. Are you the lessee of the tolls of this town?—I rent them by the year, and my son is the weighmaster; I pay £65 per annum for the tolls.

2581. Can you give a return of the several tolls you collect?—I will send a copy of the schedule now posted in the market. [*The following is the copy furnished by the witness*]:

TULLAMORE TOLLS AND CUSTOMS.

List of charges for corn, &c.

	s.	*d.*
Corn, under eight stone,	0	0½
„ eight stone and upwards,	0	1
Bacon, per flitch,	0	3
Butter, per lump,	0	2
Wool, per pack,	1	0

2582. Are there a sufficient number of beams and scales in the market?—There are five scales in the market; four are all that are required at present.

2583. Do you make any other charge in the market?—Yes; there is a charge for standings in the meat market; two are let at 1*s.* per week, two at 6*d.*, and I think another at 5*d.*; the others are free. There was a constant complaint when 1*s.* was charged on the carcase of beef, or the tongue of the beast claimed by me, and I found great difficulty in obtaining it, so gave up asking for it.

2584. Is there a weigh-bridge?—No; one is much wanted.

2585. Is the weighmaster sworn?—No.

2586. What is the system of weighing in the market?—We weigh down weight; and the smallest weight used by us is one pound for any thing under seven stone, and seven pounds when the articles weighed exceed seven stone. The scale containing the article weighed must touch the ground.

2587. Does the weighmaster keep a book containing all the articles sold and weighed in the market; and does the buyer or seller receive a copy of such entries from the weighmaster?—He keeps a book, and furnishes a docket to seller, on which the gross weight is entered, without any deduction for tare, as the buyer always does that himself.

2588. Would you deduct seven pounds if the scale with the corn was within one inch of the ground, but did not touch it?—I would in that case throw out the seven pounds, so as to make the scale touch the ground.

2589. In the case of weighing several sacks, would you deduct the weight of seven pounds from each of them separately, in the same manner as you would if only one sack is brought to be weighed?—No; in the case of several sacks, I would not. I would give and take, so that the deduction upon each sack would be less; but many buyers object to this system, and require down weight on every sack.

2590. Could you give the average price, weight, and amount of all the corn sold in the market?—No; I do not know the net weight, as I do not tare the sack, and I never know the price, or enter it.

2591. What does a barrel consist of?—A barrel of oats consists of fourteen stone; a barrel of wheat, twenty stone; potatoes, twenty-four stone; barley, rapeseed, and rye, sixteen stone. I never weigh any other kind of grain.

2592. What does a hundred-weight consist of?—Eight stone, of fourteen pounds each.

2593. What allowances are made in wool?—Four pounds beamage is allowed on each pack, and eight pounds tret for every twenty stone; the actual weight of the sack is also deducted.

2594. How is butter weighed?—It is weighed at standing beam, and a quarter of a pound is the lowest weight used; and four pounds to the hundred-weight is deducted for beamage.

2595. Is there much corn sold in the market?—About three hundred barrels of wheat weekly at the present time, but sometimes much more.

2596. Do all the farmers pay cranage?—I do not get cranage from all, but believe they are charged cranage by the buyers who do not weigh in the market. I send my own men to some private stores to see the corn weighed, but do not send them to all.

2597. Did you ever proceed against any one to recover tolls?—No.

2598. Do you know of any frauds being committed in weighing in the private stores?—I have heard reports of some, but cannot ascertain whether they are true or not. The farmers, if allowed, would certainly prefer to weigh in the market scales.

2599. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the produce brought into the town should be sold and weighed?—I would. The farmer, I am sure, would like it, and the honest merchant could not object to it.

2600. Do you know any particular case of fraud committed by a merchant in weighing?—In one case, which happened about a week ago, some corn was sent by a farmer to a merchant's store, and the farmer being dissatisfied at the weight returned by the merchant, got it weighed in the market scales. There appeared a difference of one stone per barrel between the merchant's and the market scales; and it was afterwards purchased by another merchant, who paid the seller according to the market weight. Since then the farmers have refused to sell to the merchant who attempted this fraud.

2601. Do you not think that weights and measures ought to be assimilated all over

the country, and corn weighed at standing beam, using one pound for the lowest weight, deducting only the exact weight of the sack?—I think all these changes would be great improvements upon the present system.

TULLAMORE, *5th November*, 1852.

194. Richard Willis.

2602. Do you charge any thing for weighing potatoes?—There was a man in the market in the habit of charging 1*d.* per sack for carrying large sacks of potatoes to the scales; and ½*d.* if the sacks did not exceed eight stone, I put a stop to that, and now I get ½*d.* for weighing, and the man ½*d.* for porterage to the scales.

2603. If you were asked by a seller to give the net weight of a sack of corn sold in the market, would you give it to him?—I would give to him to oblige him, but would not do so as a matter of duty.

2604. What deductions do you make in weighing potatoes?—I always, unless a special bargain is made to the contrary, deduct one stone from each sack of potatoes, which includes beamage and deduction for empty sack.

2605. Could you dismiss the man attending the scales who, you say, receives ¼*d.* for porterage?—Yes; I summoned him before the magistrates, and they decided I could dismiss him if I wished.

Marcus Goodbody, esq., J.P., examined.

195. M. Goodbody, esq.

2606. Where do you reside, and what is your occupation?—I reside at Clara, and have mills there.

2607. Where do you weigh the corn you buy in this town?—It is all weighed in my stores by a deputy of the weighmaster of the market. By this arrangement I get on with my business more quickly.

2608. What is the lowest weight you use in weighing?—Seven pounds.

2609. What is your system of weighing?—I deduct the exact weight of the sack; that is, if the sack is above seven pounds, I deduct three quarters of a stone; if the sack is under a quarter of a stone, I deduct a quarter; if more than a quarter and less than seven pounds, I deduct seven pounds; if there are several sacks, I weigh them all, and deduct exact weight of sacks from the gross weight. I do not weigh standing beam, but down weight; the scale must touch the ground three times. I stop 2*d.* per sack for porterage. I have bought in one day 300 sacks of wheat, but in general I do not buy more than ninety in a day. The 2*d.* so paid to me I pay over to the porters employed in taking the corn into my store.

2610. How many porters receive this 2*d.* per sack?—Nine, who are employed in my stores, two of whom weigh the corn, and the others are employed in carrying and hoisting it.

2611. Is that in addition to any charge made in the market for tolls or weighing?—It is. I understand that there is 1*d.* porterage and 1*d.* cranage charged upon all that is sold in the market, whether weighed or not.

2612. Would you approve of a general market, such as I described to Mr. Willis?—I would not approve of it. When large quantities are bought it would be inconvenient to weigh them in the market.

2613. Do you not think an assimilation of weights and measures, and weighing at standing beam, with as small a weight as one pound, and abolishing all deductions, would be advisable, if made uniform in all towns?—I do, provided there is no interference with private dealings, such as forcing all corn to be weighed in one market in each town, but think it would be sometimes better to weigh at the merchants' private stores. I approve of a general market, with proper supervision and staff, as a general rule, but would except particular cases where it would be inconvenient.

Philip Belton, esq., examined.

196. Philip Belton, esq.

2614. Are you a resident in this town?—Yes; and I hold a very large farm in its immediate vicinity.

2615. Do you know of any frauds practised connected with weighing in buyer's scales?—Yes; about three or four years ago I had some corn carefully weighed in my own scales, and sent up to the canal stores, it having been sold. I was present when the first portion which arrived was weighed there, and was surprised to find that, on several sacks being weighed in the scales, there was an apparent deficiency of one stone to each barrel. I then said to the person weighing, "I do not know how this can be, as it was all weighed in my own scales." The person said, "Did you see it weighed?" and on my saying, "Yes," he said to his man, "Take it all at what Dr. Belton says is the correct weight."

2616. Would you be in favour of a general market, such as I described to Mr. Willis?—I would; it would, in my opinion, be a great matter to have all agricultural produce brought into the town, sold, and weighed in the market.

2617. Are there any tolls levied on the fairs held in this town?—No.

2618. Do you not think it would be an improvement to have all cattle entering the fair made pay some small sum, in the nature of a charge for standing, whether the cattle were sold or not?—I think it would, but it must be a very low toll; it would be much better than the present system of collecting tolls on cattle sold when leaving the fairs in which tolls are payable.

2619. Do you not think that all proprietors of fairs levying tolls should supply a fair-green?—Yes; I think the farmer would rather sell in a fair-green than in the street. My opinion is that the small fairs in the neighbourhood should be brought into the large towns. I do not think that the poor people could pay the tolls going into the fairs; per-

TULLAMORE, *5th November*, 1852.

196.

Philip Belton, esq.

haps if the system was general they might be able. I am also afraid that tolls of any amount would be unpopular, and that they could not be collected here; at the same time I must say, that I have heard farmers say, that they would have no objection to pay tolls if there was a fair-green supplied. If the day on which the fair is held be wet, a field is an objectionable place for a fair to be held. I know the case of one stone less per barrel than the real weight being returned about a week ago by a merchant weighing in his own scales. The farmer, however, being certain that there was more corn than the buyer represented, had it weighed in the market, when it was found that the buyer wanted to defraud the seller of one stone out of every sack; since then, no person will sell any corn to that merchant.

BANAGHER, *6th November*, 1852.

197.

Henry Trench, esq.

Banagher, November 6, 1852.

Henry Trench, esq., J.P., of Cangort Park, examined.

2620 Under what patent or authority is the market held?—Under a patent granted in the 10th year of the reign of James I.

2621. How often is the market held, and what are the market-days?—Once a week; every Friday.

2622. Who is the owner of the market?—I am the present owner of the market.

2623. Are there any fairs held in the town?—There is a fair held on the 28th of November each year, under the same patent as the market—[*Produces a copy of the patent.*] There is a fair-green of about four acres; the fair lasts four days.

198.

Thomas Hogan.

Thomas Hogan examined.

2624. Where do you reside?—In Banagher.

2625. What is your occupation?—I am weighmaster and clerk of the market.

2626. Are tolls paid by buyer or seller in the market, and what tolls are charged?—Tolls are paid by the buyer. They are, 1*d.* per bag for wheat and potatoes, if sold in the market on Friday. There is also 1*d.* charged for every standing in the street.

2627. Is there an enclosed market-place, and is the sale of all agricultural produce confined to it?—No; some buyers weigh at their own stores, for convenience sake, a great portion of what is sold. The market-day, and on every other day of the week, they buy and weigh at their stores.

2628. If all the agricultural produce sold in the town was sold and weighed in the market, would the present number of beams, scales, and weights in it be sufficient?—No, they would not. The present accommodation would in that case be quite insufficient; and even at present, a great portion has to be sold in the street, there not being room for it in the market.

2629. Is there a weigh-bridge?—There is.

2630. Do you charge tolls for what is sold in the market, whether it is weighed there or not?—I do, on market-day.

2631. Do you superintend the weighing of the corn at the merchants' stores?—No.

2632. What is the system of weighing in the market?—I do not weigh at standing beam; the beam must have a cast, but it need not touch the ground.

2633. What is the smallest weight used in weighing?—Seven pounds in large draughts of corn, two pounds in very small ones. I would, in the former case, throw out seven pounds if the beam had not a cast.

2634. What weight do you deduct for the sack?—I deduct seven pounds if the sack does not exceed that weight, and ten pounds if it is more than seven pounds.

2635. Do you deduct any thing for beamage?—No; beamage is not deducted either in weighing in the market or at the merchants' stores.

2636. What is the system of weighing in the merchants' stores?—It is, I believe, the same as in the market scales as to cast of beam, and the lowest weight they use is seven pounds. It takes about two pounds to bring the beam from standing beam to down weight. I would deduct seven pounds for the sack, even if required by the farmer to tare it.

2637. Do you keep a book in which you enter the nature and quantity of the articles sold, with the name of the buyer and seller, and the amount paid for it?—I keep a book, but only enter the number of bags sold. I could not give Government a return of the annual amount of barrels sold, and prices paid, from any book in my possession.

2638. If the buyer or seller were to lose the docket you supply, could you give him a duplicate?—No; the docket is a written one, and I keep no copy.

2639. How much does a barrel consist of?—A barrel of wheat contains twenty stone; a barrel of oats, fourteen stone; of barley and bere, sixteen stone; of rye, twenty stone; and of potatoes, thirty-two stone.

2640. What does a hundred-weight consist of?—Eight stone, of fourteen pounds each.

2641. Would you be in favour of a general market, with sufficient accommodation, a sufficient and efficient staff, and under proper supervision, in which all the agricultural produce brought into the town should be sold and weighed?—I think the persons interested are satisfied with the present system, and would prefer it.

2642. What is the largest amount of corn sold in this town in one day?—About 450 barrels; but latterly it is much less than it used to be.

2643. What is charged for weighing hay and straw?—Three pence per load for both hay and straw; the empty cart is weighed afterwards.

BANAGHER, 6th November, 1852.

198. Thomas Hogan.

2644. Is there an inspector of weights and measures for the county or district, and, if so, how often does he visit this town?—There is. He comes to this town three or four times a year.

2645. Are you a sworn weighmaster?—No.

2646. How many fairs are held in the year?—Three used to be held; one the 15th of September, one the 8th of November, and the 1st of May; the first-mentioned is the only one at present held.

2647. Will you state the tolls charged in the fair?—For sheep, 1*d.* per head; for horses, 6*d.*; for aged cattle, for three years old, 4*d.*, for two years old, 3*d.*, for yearlings, 2*d.*; for standings at fair, 2*d.*; and for tents erected, 3*s.*

2648. Are tolls paid by any person unless the cattle are sold?—No; it is the buyer pays the toll. The tolls are paid at the gaps, except those for horses, which are collected about the town.

2649. How do you ascertain whether the cattle are sold or not?—The man at the gap asks if they are sold or not, and if the driver says no, he is required to touch a board with a paper pasted on it, and say, "by this board they are not;" in fact, he swears by the board. Some would go out without paying, only for the board.

2650. What proportion do the cattle that are unsold bear to those that are sold?—Formerly, about one-half were unsold; at the last fair, about one-fifth only remained unsold.

2651. Would it not be better that a smaller toll should be levied upon all cattle coming into the fair, whether sold or unsold?—I think it would, but I fear some of the poorer people coming into the fair might not be able to pay until they sold. If it was the general custom all over the country, that difficulty might not exist.

2652. Would it not be an advantage to have all weights and measures over the whole country assimilated?—It would.

Edward Dolan, examined.

199. Edward Dolan.

2653. Where do you reside and what is your occupation?—I live in Banagher, and am a corn merchant.

2654. Do you concur in all that has been stated by the last witness?—The last witness is not quite correct in some particulars. I always enter the gross weight of the corn I purchase, and deduct the exact weight of the sacks at my stores. I require the scale to touch the ground three times; and my scales are only six inches from the ground when at standing beam. I always tare the sack. In all other respects the last witness is quite correct as to my system of weighing.

2655. Do you make any other deduction than the actual weight of the sack?—No; I make no other deduction or charge of any kind whatsoever. The farmer, on the corn being weighed, pays me the 1*d.* toll for the weighmaster, on the market days.

2656. Did you ever hear any complaint made by the farmers about weighing in the private stores?—Never.

2657. Does not the present system of weighing in the private stores afford facilities for fraud?—I think more frauds would exist if it was weighed in the market, as some of the corn might be taken from the sacks between the market and the merchants' stores, particularly in the night. The present system is also more convenient.

2658. Would it not be better to weigh all agricultural produce at standing beam, with as low a weight as one pound, deducting, in every case, only the actual weight of the sack?—If the system were general I would not have the least objection to it.

2659. What is the largest quantity of corn you ever bought in one day?—About ninety-five barrels. The market is, however, declining, and there is not so much sold in it as a few years ago.

2660. Do the farmers practice frauds upon the merchants?—I do not think they do.

200. Keran Molloy.

Keran Molloy.—I am a corn merchant, and buy largely in this town, and I quite concur in the evidence given by the witnesses examined, and have nothing to add to it.

Parsonstown, November 8, 1852.

PARSONSTOWN, 8th November, 1852.

201. Mr. John Murphy.

Mr. *John Murphy* examined.

2661. Where do you reside?—In Parsonstown.

2662. What is your occupation?—I am lessee of the tolls of the market.

2663. Under what patent or authority is the market held?—Under a very old patent; I do not know its date.

2664. How often is it held and what are the market days?—The market days fixed by the patent are Tuesdays and Saturdays. There is, however, no more business done on Tuesdays than on any other days, and Saturday is the principal market day at present.

2665. Who is the present owner of the market?—The Earl of Ross is the owner and patentee of the market; and I hold the tolls derived from the fair and market from his lordship, at a yearly rent of £80 per annum.

2666. Are tolls paid in the market; and if so, give a return of the various articles that are liable to it, with the amount paid on each?—I will furnish you with a copy of the schedule

PARSONSTOWN, 8th November, 1852.

201.

Mr. John Murphy.

of tolls charged in the market. [*The following is the copy of the tolls furnished by the witness*] :—

On Market Days.

Tolls and Customs at Parsonstown.

	s.	d.		s.	d.
Each bag weighing 1 cwt.,	0	1	Each standing,	0	1
„ under 1 cwt.,	0	0½	Hay and straw,	0	3
Wool, per cwt.,	0	2	Cars,	0	2
Each pig,	0	2	Pigs, when sold,	0	1
Sheep, when sold,	0	1	Cows,	0	3
Cars with pigs,	0	2	Calves,	0	1
Hawkers, of all kinds,	0	1			

The above is a copy of the painted boards used on market days.

(Signed,) John Murphy.

2667. Are the tolls paid by the buyer or seller?—By the seller in the markets, and the buyer in the fairs.

2668. Are there enclosed market-places, and is the sale of all agricultural produce confined to them?—There is no enclosed market-place, and a great deal of the agricultural produce is sold in the streets of the town.

2669. Has a sworn weighmaster been appointed for the market, and have a sufficient number of beams, scales, and weights been provided?—I act as weighmaster, but have not been sworn. There are three sets of beams, scales, and weights in the market-place; and two beams and scales are all that are required or used in the market.

2670. Is all agricultural produce weighed in the market scales?—It is not; a great portion of it is weighed at the merchants' stores.

2671. Is any charge made for weighing independent of the toll?—There is no charge for weighing; I only charge toll.

2672. What is the system of weighing in the market?—Seven pounds is the smallest weight used. We weigh down weight. If the corn was at standing beam, I would take out, in the case of a single sack, seven pounds from the weight of the corn. If more than one sack were weighed, I would give and take; such, however, is discretionary, but is invariably done. The beam need not in all cases touch the ground.

2673. What deductions in the nature of beamage, or other allowances, are there taken from the gross weight of the corn?—There is no deduction for beamage, we deduct seven pounds for the weight of the empty sack. If the sack weighed more we would still deduct only seven pounds in weighing corn and potatoes. If a bag of corn, at standing beam, weighed twenty stone I would return it as weighing nineteen stone seven pounds, gross weight. Wool is weighed at standing beam.

2674. Are the nature and quantities of all articles sold in the market entered in a book kept by you for that purpose, and does the buyer or seller receive a copy of such entries?—I do not keep a book such as you describe; I give a docket to the seller, showing the net weight, but do not keep a copy of it. If the docket was lost I could not give another for corn, but I could for all hay and straw that are weighed on the weigh-bridge.

2675. What is your charge for weighing hay and straw on the weigh-bridge?—Threepence per load; for that I also weigh the empty cart.

2676. Does the empty cart always return to be weighed?—No.

2677. What is the weight of a barrel of wheat?—Twenty stones.

2678. What of oats?—Fourteen stones.

2679. What of barley?—Sixteen stones.

2680. What of other grain?—There is so little other grain comes into the market that I cannot say.

2681. What of potatoes?—Twenty stones.

2682. How do you weigh potatoes?—We weigh potatoes exactly the same way as corn, and make the same charges and deductions.

2683. Does a stone weight always consist of fourteen pounds?—It does, except in the case of wool and feathers.

2684. Does a hundred-weight always consist of one hundred and twelve pounds?—It does.

2685. Is there much butter sold in the market?—Very little.

2686. Can you state the greatest amount of corn sold in the market in one day?—No; there were about three hundred bags of corn weighed in the market on Saturday last, and about one hundred more was weighed in the merchants' stores, but I have no means of ascertaining the exact number of barrels sold out of the market.

2687. What is the principal produce of this district?—Oats, barley, and wheat.

2688. Is there an inspector of weights and measures for the county or district?—There is; and the police have lately seized several false weights and measures in the shops of this town.

2689. Do you ever hear of any frauds being practised in weighing at the merchants' stores?—I have heard of them by report, but never had the least proof of one being committed.

2690. Would you be in favour of a general market, with sufficient accommodation, a sufficient and efficient staff, and under proper supervision, in which all the agricultural produce brought into the town for sale should be sold and weighed?—I would. I believe such a market would protect both the honest buyer and seller.

2691. How many fairs are held here in the year?—Four.

PARSONSTOWN, *8th November*, 1852.

201.
Mr. John Murphy.

2692. What tolls are charged at the fairs?—I will send a copy of the tolls charged. [*Witness accordingly furnished the following schedule of tolls*]:—

On Fair Days Tolls and Customs at Parsonstown.

	s.	d.		s.	d.
Horses,	0	6½	Pigs,	0	2
Cows, three years old,	0	4	Standings,	0	4
Ditto, two years old,	0	3	Frieze, when carried,	0	2
Calves,	0	2	,, on standing,	0	4
Sheep,	0	1	Cars,	0	4

The above is a copy of the painted boards used on fair days.

(Signed), John Murphy.

2693. Are tolls levied upon cattle going in or coming out of the fair?—Coming out of the fair if they are sold; if the driver says they are not sold, I make him touch a board in order to ascertain if they are not. This practice makes the people think little of an oath, but I could not collect the tolls without it.

2694. Is the fair-green large enough?—It would be so, if it was enclosed; it is enclosed on three sides, but open upon the other.

2695. Would it not be better to have the fair-green properly enclosed, and smaller tolls charged upon all cattle going into it?—It would. I am sure no person would object to to pay a small toll going into the fair, if proper accommodation was provided.

2696. What proportion of cattle going into the fair, are sold, and pay tolls?—About three-fourths. I collect the tolls in different parts of the town, and at each gap or entrance to the fair, I employ a very good class of men to collect them; I never heard a complaint of the manner in which they were collected.

2697. Do you not think it would be better in weighing corn, to weigh at standing beam, instead of down weight, with as small a weight as one pound, and abolish all deductions?—I think if this system was made general, it would be a very great improvement.

2698. Do you not think an assimilation of weights and measures over the whole country desirable?—I do.

2699. Are not the standings in the street objectionable?—They are; they make it at times quite impossible to go through the street; 1*d.* toll only is charged for a standing; I never seize for it.

2700 If corn came in on other days than the market one, would you charge the toll upon it?—I would only charge toll if it was weighed in the market scales.

William Waters, esq., examined.

202.
Wm. Waters, esq.

2701. Where do you reside?—About three miles from Parsonstown; I am an extensive farmer, and sell a great deal of corn in this market.

2702. Do you concur in the statements of the last witness?—No, I do not. In the scales of the merchants I know they require the scale to touch the ground three times, it ought to be weighed at standing beam; they also use no lower weight than seven pounds, and some deduct four pounds to the barrel for beamage, and seven pounds for the empty sack.

2703. Do they ever tare the sack?—They sometimes do, and deduct the exact weight of it. It would be inconvenient, with the present market accommodation, to have all the corn sold in the town weighed in the public scales.

2704. Is there any charge for weighing or porterage in the merchants' stores?—No.

2705. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under proper supervision, in which all the agricultural produce brought into the town for sale should be sold and weighed?—I would; if sufficient accommodation was provided.

2706. Would it not be better to weigh standing beam instead of down weight, using as small a weight as one pound, and abolish all deductions?—It would.

2707. Did you ever know a farmer to put inferior corn into the middle of the sack, for the purpose of defrauding the buyer?—No; I never did.

2708. Is there any suggestions you can offer for the prevention of fraud?—I think that a heavy penalty should be inflicted for any fraud discovered on the part of either buyer or seller

2709. Do you sell in the fairs?—Sometimes. I think a properly enclosed fair-green should be provided, it would be better for both buyer and seller.

2710. Would it not be better to charge a small toll on entering, and have the fair-green properly enclosed, and give up selling in the street?—I think it would.

2711. Would you approve of an assimilation of tolls all over the country?—I would.

John Walters, esq., examined.

203.
John Walters, esq.

John Walters, esq., stated, on the part of the Town Commissioners, that great inconvenience results from the market being held in the street, the thoroughfare was quite stopped the last market day.

2712. Would you approve of the establishment of a general market, such as I described to the last witness, and of having a sworn weighmaster?—I would

2713. Would it not be better to weigh standing beam instead of down weight, with as small a weight as one pound, and abolish all deductions?—It would.

2714. Do the tolls of the market produce more than the fairs?—They do; I do not think the proprietor of a market or fair should be entitled to tolls unless he provides proper accommodation.

PARSONSTOWN, 8th *November*, 1852.

204. Mr. T. Robinson.

Mr. *Thomas Robinson* examined.

2715. Where do you reside, and what is your occupation?—I live in Parsonstown, and am a miller, and buy in this market.

2716. Where do you weigh the corn you buy in the market?—In my own stores.

2717. Is there any charge made for weighing in your stores?—No.

2718. What is the system of weighing at your store?—Seven pounds was the lowest weight used, with the turn of the beam, until lately, and now I generally weigh at standing beam, and use a one pound weight, deducting four pounds for beamage, instead of the former system.

2719. Must the scale in the former case touch the ground?—No; we give a cast, and one-half pound will turn the beam.

2720. What is deducted for the empty sack?—Seven pounds; but if the farmer desires it, the exact weight of the sack is deducted.

2721. Which system of weighing do you think the farmers prefer?—They prefer using as the lowest weight seven pounds, and the turn of the beam, to standing weight, with one pound, and four pounds beamage.

2722. Would you be in favour of a general market, such as I described to the first witness, under a sworn weighmaster?—I would; at the same time I think it right to state, that the market here is better regulated than any other in which I ever bought or sold.

2723. How many barrels of corn are sold in this market in a day?—About 800. I think it right to say, that I fear were all the corn sold in the market weighed in it, instead of at the merchants' stores, it would create very great delay and inconvenience.

2724. Would you be in favour of an assimilation of weights and measures all over the country?—I would; and would sell by the barrel in preference to any other way.

2725. Do you not think that the owner of the tolls of fairs and markets should provide proper accommodation in return for the tolls he receives?—I do; I am of opinion that there is not any great cause of complaint at the way this market is conducted.

205. Richard Mathews.

Richard Mathews examined.

2726. Where do you reside?—In this town.

2727. What is your occupation?—I am agent to Mr. Leycester, who is a large buyer of corn.

2728. What is your system of weighing in his stores?—We weigh down weight; seven pounds is the lowest weight used, and we deduct seven pounds for the empty sack, for oats and barley; for wheat we weigh at standing beam, using a one pound weight, and deducting the exact weight of the sack, with four pounds beamage; farmers, I think, prefer the present system.

2729. Would it not be better to do away with beamage?—It would.

2730. Do you make any charge for porterage or weighing?—No.

2731. Are tolls paid on any other than market days?—No.

2732. Do you not think that all the corn should be weighed at the market, and sufficient accommodation provided by the owner of the tolls?—I do; the present accommodation is quite insufficient.

2733. What is the greatest quantity of corn sold in any one day in this town?—About 1,100 barrels; I should say 650 of wheat and 450 of oats.

2734. Would you be in favour of an assimilation of weights and measures all over the country?—I would.

2735. Do you think selling by barrel convenient?—Yes; I approve of selling by barrel as the most convenient mode.

ROSCREA, 9th *November*, 1852.

206. John Franck, esq.

Roscrea, November 9, 1852.

John Franck, esq., examined.

2736. Where do you reside?—About three miles from Roscrea.

2737. Under what patent or authority is this market held?—Under a patent of the reign of Charles the First, which is at present in Dublin.

2738. When was the market established?—I believe in the reign of Charles the First. I think in the year 1663.

2739. Who is the present owner of the market?—I am; but I have let the tolls during pleasure to a man named Daniel Gready, who pays at the rate of £60 per annum for them.

2740. Are you also the owner of this town?—No; the Earl of Portarlington is the proprietor of the town; the tolls of the market only belong to me.

2741. Are tolls paid in the market, and if so, give a return of the various articles that are liable to them, with the amount paid on each?—The list I now hand in is a copy of the tolls charged in the markets and fairs.

ROSCREA,
9th November, 1852.

206.
John Franck, esq.

THE PRESCRIPTION AND MODE OF THE TOLLS AND CUSTOMS OF ROSCREA.

SCHEDULE of the Customs of Roscrea.

FAIR DAYS.	s.	d.
All horned cattle sold, two years and over,	0	4
Large covered or uncovered standing,	0	6
Over one and not two years,	0	3
Wainlings and yearlings,	0	2
A milch cow and calf,	0	6½
Sheep, each,	0	1
Ewe and lamb,	0	1½
Weanlings, sheep,	0	1
Each kish of pigs,	0	4
Hatter's standing,	0	4
Each pig sold,	0	1
Each horse, mule, or gelding,	0	6½
Covered standing of soft goods,	1	7½
Flat or uncovered do.,	1	0
Large covered or uncovered standings,	0	6
Broguemakers,	0	4
Covered copper or brass ware,	1	1
Metal pots or earthenware,	0	4
Wooden or tin ware,	0	4
Hawkers of every description,	0	4
MARKET DAYS.		
Each kish of pigs,	0	4
Each pig sold,	0	1
All other cattle same as on fair days.		
Large covered standings of soft goods,	0	6
Plants, per kish or load,	0	2
Hatters' standings,	0	1
Broguemakers' do.,	0	1
Fishmonger's car or dray,	0	2
Every draft of one hundred-weight and so in proportion,	0	1
Every bag of corn or meal over one hundred-weight,	0	1
Each bag of potatoes over one hundred-weight sold, at the rate of one stone for every barrel of 24 stone, or, in lieu thereof,	0	1

JOHN FRANCK, *Proprietor.*
DANIEL GREADY, *Collector.*

2742. How often is the market held, and what are the market days?—Once a-week, every Thursday.

2743. Are there any tolls levied that are not on the toll-board?—No.

2744. Are the tolls paid by the buyer or seller?—Tolls on agricultural produce are paid by the seller in the market, but tolls on cattle, in both fairs and markets, are paid by the buyer.

2745. Is there an enclosed market-place, and is the sale of all agricultural produce confined to it?—There is not an enclosed market-place, and corn is consequently sold in the streets.

2746. Is all agricultural produce sold in the town weighed in the market scales?—No; a large quantity is weighed in the merchants' and millers' stores.

2747. Is there any charge for weighing potatoes in the market scales?—No.

2748. Do potatoes sold in the market pay toll?—Yes; there is 1*d.* a bag paid upon them.

2749. Is the weighmaster sworn, under the 4th of Anne, cap. 14?—Daniel Gready is the weighmaster; he is sworn; but not, I believe, under any particular statute.

2750 Is any charge made for weighing, independent of tolls?—I do not think there is.

2751. Are all the fairs held under the same patent?—Six altogether are held, five under the patent, and one upon every 25th of March, for which day there is no patent.

2752. What is the system of collecting tolls at the fairs?—The men employed by the weighmaster at the gap asks the driver of any cattle going out of the fair whether they have been sold or not; if he says not, then they ask him to touch a board in order to clear them.

2753. Where are the fairs held?—In the street. Neither market nor fair are held in enclosed places, they are both held in the street; there is no fair-green.

2754. Do you not think, that a proprietor of a fair and market should provide proper accommodation, in return for the tolls he receives?—Yes.

2755. Would you consider it a better system to have a properly enclosed fair-green provided, and that a smaller toll than that now charged should be levied upon all cattle entering the fair, instead of charging only those that are sold going out, as they do at present?—I think such would be much better than the present system.

2756. What value do the public get from the proprietor in return for the tolls they pay?—The use of the scales is the only return I give. I think it but reasonable, that proper accommodation should be obtained from the proprietor by the public. The tolls are let to Daniel Gready, the weighmaster. I am endeavouring to get rid of him, but he is overholding in spite of me.

2757 If all the corn sold in the town was weighed in the market, would there be sufficient accommodation?—There would not; the present beams, scales, and weights, would be altogether insufficient.

Daniel Gready, the weighmaster of the market, to whom the tolls are let, was brought into court in the custody of the police, from the gaol, and examined.

207.
Daniel Gready.

2758. Where do you live?—In Roscrea.

2759. What is your occupation?—I am the weighmaster of the market, and rent the tolls of the fairs and markets at £60 a-year. I keep all the tolls I receive, and pay Mr. Franck the rent, by quarterly payments.

2760. Do you collect any tolls except what are upon the toll-board?—No; I do not even charge so much, as I am entitled to do by the toll-board.

2761. Is the list handed in by Mr. Franck and now produced, a correct copy of the toll-board?—It is; the toll-boards were broken up some years ago, and then the present one was printed, and the scale of tolls at that time reduced from what they formerly were to the present charges.

ROSCREA.
9th November, 1852.

207.
Daniel Grady.

2762. Are tolls paid in the market, whether the goods are sold or not?—Yes; I am entitled to charge toll upon any corn or other article brought into the town and exposed for sale, on market-days.

2763. Is the toll paid always at the time the corn is sold?—Not always; the buyer in many cases accounts with me the next morning.

2764. Is there any charge made for weighing in the market scales?—No.

2765. What is the system of weighing in the market?—We require a cast of the beam, the scale need not, however, touch the ground; I do not know how much it would take to turn the beam from standing beam to down weight, I should say about two pounds.

2766. What is the smallest weight used in weighing corn or potatoes?—Seven pounds.

2767. What deduction do you make for the empty sack from the gross weight?—Generally four pounds or seven pounds, according to the appearance of the sack; sometimes only three and a-half pounds. I weigh and return only the gross weight; the buyer and seller arrange between themselves what shall be deducted for beamage and empty sacks.

2768. Do you keep a book of the quantity and nature of the articles sold by you, each market-day?—No; I keep no book, I give, if required, a written return of any corn that may be weighed in the market, which return contains the gross weight of the articles, with my own name and the date to it; but unless such is asked for, I merely write the gross weight of the corn or other article upon the seller's hat.

2769. Do you keep a copy of the docket you give the seller, so that in the event of his losing it, you would be able to give him a duplicate?—No, I do not; nor do I keep any record of the sales made.

2770. Then you could not, of course, furnish us with particulars of the prices and quantities of agricultural produce sold by you in the year?—No; I could not.

2771. What does a barrel consist of?—A barrel of wheat weighs twenty stone; of oats, twelve stone; of bere and barley, sixteen stone; and of potatoes, twenty stone.

2772. Of what does a stone consist?—Fourteen pounds, except of wool and feathers, which are calculated at sixteen pounds.

2773. Does a hundred-weight always consist of 112lbs.?—It does

2774. What is the greatest quantity of corn weighed in the market scales in one week?—I should say, about 200 bags.

2775. Do you charge tolls upon corn on any other than market-days?—No, I do not; unless it is weighed in the market.

2776. What is your system of weighing potatoes?—Potatoes are weighed in the same way as corn; I give only the gross weight; the empty bag never comes back to be weighed.

2777. Do the merchants and other buyers in the town charge for weighing at their own stores?—There is no corn weighed in the town except in the mills, and the millers do not charge either for weighing or porterage.

2778. Do you get tolls upon the corn bought by the millers?—No, I do not, unless it is exposed in the market for sale, and that only on market-days.

2779. Are all articles brought into the market charged tolls?—Yes; any corn or other agricultural produce, if exposed for sale in the market, is charged toll, whether it is sold or not.

2780. If a miller bought corn, and brought it through the town, would he be charged tolls?—No; I do not get tolls upon any corn, unless it is exposed in the market for sale.

2781. How much do the tolls amount to in the year?—About £100 per annum. I keep no account of what I receive. The tolls are valued for poor-rate at £95 a-year.

208.
Henry Holebrook.

Henry Holebrook examined.

2782. Where do you reside? and what is your occupation?—I reside in Roscrea, and am a butcher by trade.

2783. Have you any complaint to make as to the manner in which the market is conducted?—Yes; I have to say that in collecting at the fairs and markets, the collectors do not confine themselves to the tolls which are printed upon the boards: as an instance, I bought a goat for 2*s.* 6*d.*, and was charged by the toll-collector 4*d.*; and when he could not show me that there was any toll for goats upon the board, he said it came under the head of horned cattle, and threatened to seize the goat, if I did not pay the 4*d.* I had to comply with the demand, and applied to Mr. Franck, the owner of the market, to get it back, but received no redress from him.

209.
Mark Gannon.

Mark Gannon examined.

2784. Where do you reside?—In Roscrea.

2785. What is your occupation?—I am a victualler, and buy a great deal of butter in this market.

2786. How is the butter sold?—It is sold by lump, and never weighed in the public scales in the market. It is mostly sold in firkins.

2787. Ought not the firkins to be weighed?—They ought.

2788. Is there any inspector of butter?—No; but there ought to be one. This would be a good butter market if there was an inspector of butter appointed, and a proper system of weighing in the market, which is also greatly wanted.

2789. Is toll charged on butter?—No.

2790. What is the greatest quantity of butter sold on one market-day?—About 300 or 400 firkins, all of which are sold by lump.

ROSCREA,
9th November, 1852.

Mr. *Brangan* examined.

210.
Mr. Brangan.

2791. Where do you reside?—Near the town, and I buy a large quantity of corn in it.

2792. Where do you weigh the corn you purchase?—I weigh the corn I buy at my stores, but I pay tolls for it, whether I have to weigh it myself or not.

2793. Have you any suggestions to make for the improvement of the market here?—I have to complain that there is no proper docket given with any corn sold in the market; and I think that I should get a proper docket with any corn I purchase.

2794. Would not a docket, showing the net weight, be better than one that only gives the gross weight?—Certainly it would.

2795. Do you make any charge for weighing at your store, or porterage?—No.

2796. Is there sufficient accommodation in the market, if all the corn sold there was also weighed there?—There is not.

2797. What is your system of weighing in your own stores?—I weigh in my stores with standing beam and one pound weight; I tare the empty sack, and deduct four pounds per barrel for beamage.

2798. What value does the proprietor of the tolls here give to the public in return for the tolls he receives?—He only gives the scales, which are quite insufficient to weigh all the corn sold in the town.

2799. Would you be in favour of a general market, with sufficient beams and scales, an efficient staff, and under the supervision of a competent and sworn weighmaster; and that all the corn coming into the town should be sold and weighed in such a market?—I would. The weighing here is so unsatisfactory, that even if the corn I buy has been weighed in the market scales, I weigh it afterwards in my own scales; while corn that has been weighed at Parsonstown I never weigh a second time.

2800. Do all the other merchants and buyers who weigh corn at their stores, deduct four pounds beamage?—I believe they all adopt the same system as I do.

2801. Would it not be a better mode of weighing to deduct no beamage?—If such were general over the whole country, there could be no objection. Though the man who weighs in the market is not always correct, I do not think he intends any fraud.

2802 Would you approve of an assimilation of weights and measures over the whole country?—I would; I think the barrel of fourteen stone should be used over the whole country.

2803. Do you not think a proper book should be kept by the weighmaster, in which the nature, quantities, price, and amount, of all agricultural produce weighed and sold in the market, should be entered?—I think such would be very proper, and much better than chalking the weight upon the hat of a man, who could change his hat or alter the chalking as he liked.

211.
Robert Dowd.

Robert Dowd, miller, examined.

2804. You have heard the statements of Mr. Brangan; do you concur in all he said, or would you wish to add any thing?—I quite agree with him in his general remarks. There are, I should think, about 2,000 or 3,000 barrels of corn sometimes sold in the town. I myself have seen about 1,000 barrels in the market, which the scales they have there would be quite insufficient to weigh in one day. There is much confusion even with the small quantity weighed at the market scales: I have known a mistake of four stone made, arising entirely, I am sure, from the confusion existing, and not from any intention of the weighmaster. I have known a party that had corn weighing stopped in the middle of his load, to allow potatoes to be weighed; in fact, when there is a hurry at the market scales, the strongest faction carries it, and the other parties have to wait.

2805. The serjeant of police, at Roscrea, stated that he knew, on one occasion, of some cabbage-plants on their way to Nenagh, passing through Roscrea, and though not offered for sale in the latter town, the owner was forced by the toll-collector to pay toll; and it appears there was no toll for cabbage-plants printed upon the toll-board.

NENAGH,
10th November, 1852.

NENAGH, NOVEMBER 10, 1852.

212.
R. B. Uniacke.

Richard Bayley Uniacke, esq., examined.

2806. Where do you reside?—I live near Nenagh; I am the agent or receiver over the property of Holmes, a minor, under the Court of Chancery.

2807. Who is the owner and patentee of the market?—The present owner or patentee of the market is Mr. Holmes, a minor. He is the representative of the late Peter Holmes.

2808. Under what patent or authority is this market held?—I cannot say; but I know there is a patent, which I believe is in Dublin.

2809. When was the market established?—I cannot say; it is of very old standing. Major Dundas is the lessee of the tolls, at the yearly rent of £120.

213.
Edward Hanley.

Edward Hanley, examined.

2810. Where do you reside?—In Nenagh.

2811. What is your occupation?—I collect the tolls of the market and fairs of Nenagh for Major Dundas.

2812. Are tolls paid in the market? and if so, give a return of the various articles that are liable to it, with the amount paid on each.—Tolls are paid in the market; and the list I now hand in shows the charges that are made for tolls in both fairs and markets. [*The following list was handed in by the witness*]:—

NENAGH,
10th *November*, 1852.

213.
Edward Hanley.

BARONIES OF UPPER AND LOWER ORMOND.

TOLLS and CUSTOMS of NENAGH on FAIR DAYS.

	s.	d.
For every milch cow,	0	5
Black cattle above three years old, each,	0	4
Do. do. two do.	0	3
Do. do. yearling,	0	2
Horses, mares, or geldings, each,	0	6½
Sheep and calves, each,	0	1
Standings pay, each,	0	4
Oats, bere, and barley, for toll and custom, weighing, &c., per stone,	0	0¼
Woodenware per load,	0	4
Scollops, per cwt.,	0	0¼
Weat, per bag,	0	2
Fruit, per load,	0	5
Kishes, and dung-baskets, per load,	0	6
Fish-hawkers,	0	3
Each hide,	0	4
Fowl in kishes, or otherwise,	0	3
Each hog, sow, or pig,	0	3
Pigs brought in kishes, each,	0	1
Tents or booths,	2	6
Wool per bag,	0	6
Every firkin of butter sold,	0	3
Every crock or cool of butter sold,	0	2
Every tub of tallow,	0	4
Every load of hay sold,	0	4
Do. straw do.,	0	2

BARONIES OF UPPER AND LOWER ORMOND.

TOLLS and CUSTOMS of NENAGH on MARKET DAYS.

	s.	d.
Standings, each,	0	2
Oats, bere, and barley per stone, for toll, cranage, and storage,	0	0¼
Potatoes, from ten to thirteen stone, for weighing, toll, cranage, and custom,	0	1
Do. from thirteen to thirty stone, for weighing, toll, cranage, and custom,	0	2
Sheep or calves, each,	0	1
Fruit or vegetables, each per load,	0	2
Scollops, per cwt.	0	0¼
Each hog, sow, or pig,	0	2
Bonares in kishes coming in, each,	0	1
Wooden ware, per standing,	0	2
Hawkers, each,	0	2
Every car-load of fish,	0	4
Kishes and dung-baskets, per load,	0	6
Black cattle above three years old,	0	4
Do. do. two do.	0	3
Do. do. yearling	0	2
Milch cows, each,	0	5
Horses, mares, or geldings, each,	0	6½
Fowl in kishes,	0	3
For each firkin sold of butter,	0	3
For every crock or cool of butter sold,	0	2
Hides, each,	0	4
Tallow, for every tub,	0	4
Each load of hay sold,	0	4
Do. of straw,	0	2

2813. Is the list you now hand in an exact copy of the toll-board?—No; it is not the same as our board; we charge less tolls than those on the board in some cases, and never more.

2814. Are the tolls paid by the buyer or the seller?—By the buyers in fairs on black cattle, and by the sellers on pigs in fairs, and on all articles and cattle sold in the market.

2815. What are the market days? and are any tolls collected on any other than market days?—Thursday is the market day; tolls are only levied on that day.

2816. Are there enclosed market-places?—and is the sale of all agricultural produce confined to them?—There is no enclosed market-place, except the pig market; and the corn and other agricultural produce is sold about the streets of the town. There is an open market-palce and a market-house; the latter is not used for market purposes.

2817. Has a sworn weighmaster been appointed? and are there a sufficient number of beams, scales, and weights in the market?—A weighmaster has been appointed, but not sworn; there are a sufficient number of beams, scales, and weights in the market.

2818. Is all agricultural produce weighed in the market?—No; nearly all is weighed in the merchants' stores.

2819. What is your charge for weighing wheat?—Two pence a bag; that includes everything. For this we supply storage; and if toll is paid on the corn, and not sold on the first day, we make no charge on the second market day for storage or toll.

2820. Would there be sufficient accommodation in the market if all the corn brought into the town for sale was to be weighed in the market?—No; there would not be near sufficient accommodation for all the corn brought into the town.

2821. Do you levy toll upon corn and other agricultural produce whether sold or not?—Yes; I levy toll upon all that is brought into the market, whether sold or not; but I do not charge upon what is merely passing through the town, and is not offered for sale; and I never charge toll for any thing except upon market days.

2822. Do you say that if corn has paid the toll, and is not sold, it may come another day into the market free of toll?—Yes.

2823. What is the system of weighing in the market?—We weigh corn with a turn of the beam, but the scale need not touch the ground. A four-pound weight is the smallest one we use; the custom in the merchants' stores is to use no smaller weight than seven pounds. We deduct no beamage, and deduct seven pounds for the empty sack, whether it is more or less. We weigh potatoes with no smaller weight than seven pounds; we weigh potatoes down weight; the scale must touch the ground. It takes about one pound to bring the scale from standing beam to the ground. There is no beamage ever deducted in weighing potatoes.

2824. Are the nature and quantity of all articles weighed in the market entered in a book kept by you, as weighmaster, for that purpose? and does the buyer or seller receive a copy of such entries?—I do not keep a book such as you mention; and I only give a

docket when required to do so by the seller. At all other times I mark the gross weight upon his hat with chalk, or upon the bag. I never give a printed docket, but I give a written one when required; I keep no copy, and if the one I give is lost, I cannot give a duplicate. The gross weight I also mark upon the scale with chalk, so that in case of the docket being lost, or any dispute arising, I can refer to the scale.

2825. If you mark the weight of all the corn weighed in the market on the market scale, how can you tell which is the particular weight that is wanted?—I think I could recollect, and ascertain which was the one required.

2826. I suppose you could give no return to the Government, if they required one, of the nature and quantity of agricultural produce sold in the market in the year?—I could not.

2827. What does a barrel consist of?—A barrel of wheat consists of twenty stone; of oats, twelve stone; of bere and barley, sixteen stone; and of potatoes, twenty-four stone.

2828. What does a stone consist of?—Fourteen pounds, except in the case of wool and feathers.

2829. Is a hundred-weight always 112 pounds?—It is.

2830. Is much butter sold in this market?—No, there is not much; for instance, there was only about sixteen stone weighed at the last market.

2831. What is your system of weighing butter?—Standing beam, and one pound is the lowest weight used; I give the gross weight, and make no deductions.

2832. What is your system of weighing wool?—One pound is the lowest weight used; I weigh at standing beam, and deduct four pounds beamage.

2833. Do you charge toll upon butter whether it is weighed or not?—I do; I make no charge for weighing; I charge no tolls upon butter coming into the market in rolls. A small crock, not weighing more than two pounds, would not be charged any toll. Before Major Dundas became lessee of the market, small crocks of two pounds would be charged 2*d.* for weighing. My scales are, however, too big for weighing butter.

2834. What value is given by the proprietor of the markets for the tolls he receives?—He gives scales and storage, a market-place, and a market-house, which, however, is not used; there are two store-houses also provided by him.

2835. Is there sufficient accommodation in the market for all the agricultural produce brought into the town for sale?—No, there is not.

2836. Do you collect the tolls of the fairs?—I do; there are seven altogether held in this town.

2837. Is there a fair-green?—No, there is not.

2838. State the mode of collecting tolls at the fairs.—Tolls are charged upon cattle going out of the fair, only if they have been sold. The man at the gap asks the driver if they are sold or not; if he says they are not, and my men have reason to suspect the cattle have been sold, they make the driver touch a board or penny to clear them, but they never require him to touch a book or paper, and they generally let them pass on the words of the driver, without requiring any stronger proof. Such is considered by the people, who do not know better, as an oath, and they sometimes take it and swear what is not the case. I would, however, get no tolls except for this custom.

2839. Would it not be better that a properly enclosed fair-green should be provided, and that all cattle entering the fair should be charged a smaller toll than is charged at present, which would be in the nature of a charge for standing?—I do not think that the people, generally, would like to pay going in; I would not object to it on my part, but some people would not like it.

2840. Do you charge any tolls upon chickens?—No; I charge tolls upon turkeys or geese in carts; I do not charge tolls upon chickens or ducks, as they never come into the market. I have a good class of toll-collectors, who have very strict directions from me how they are to collect the tolls.

2841. Do you charge toll for potatoes?—I do not charge any toll for potatoes unless they are weighed, and then only on market-days; I never knew them charged on other days.

2842 If corn is unsold in the market and taken away to another town to be sold, would you charge tolls upon it?—I would; if it enters the market on a market-day it must pay toll. All agricultural produce on market-days pays toll on entering the town before it reaches the market. If it comes into the town, and does not go to the market, it is still charged toll—not, however, on any other day than market-day. I never interfered with the selling of any produce upon any day that was not market-day. I charge 2*d.* a bag, or 4*d.* for a cart-load.

2843. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster, in which all the agricultural produce brought into the town for sale should be sold and weighed?—I would.

2844. Would it not be better to weigh standing beam, using one pound as the lowest weight, making no other deduction from the gross weight than the actual tare of the empty sack?—If it were made general I think it would be a great improvement, and it would give the farmer the value of his corn. I have, however, never heard complaints of the weighing in the private stores of the merchants.

2845. Are there any tolls charged by the collectors that are not on the toll-board?—No.

2846. Is not toll collected on fruit, for I do not see it entered on the toll-board?—There is a toll charged upon fruit, though not on the toll-board. I will furnish a copy of the toll-board, certified by the Chairman of the Town Commissioners of Nenagh.

2847. Under what head do you charge for fruit carried by women in hand-baskets?—I

NENAGH, 10*th November*, 1852.

213.

Edward Hanley.

charge toll as if coming under the head of hawkers; I charge them 2*d.* on market-days, and 4*d.* on fair-days.

2848. If apples were sold in the market in the morning, and were carried about for sale by the persons who bought them, would not toll be thus charged upon the same articles twice over?—The person who bought them in the morning would have to pay for carrying them about for sale.

2849. If fish was bought in the market, and paid toll, would you charge toll to the person who bought it for selling it on a table in the streets afterwards?—I would not.

2850. Are there any complaints ever made to you of the way in which tolls are collected by your men?—No; upon a man being appointed by me as a collector for small matters, I tell him what to charge. These men are under me.

2851. What is the toll upon goats?—One penny.

2852. Under what head do you charge this?—Under the head of stags.

2853. Do the collectors charge in all cases by the list you first handed me?—I believe not exactly.

2854. Do they go strictly by that which is lodged with the Clerk of the Peace, or by the toll-board, as none of the three seem to agree with each other?—I do not think they exactly follow any one of them; the tolls charged are generally lower than what are charged by the board;—they do not go strictly by it, as to the amount they charge, but generally go by the board as to what articles are to be charged toll. The present toll-board is an exact copy of the old one that was before it. It was printed in 1818.

2855. Do you not charge for goats, which are not on the toll-board?—I do.

2856. What is the real list by which tolls are collected?—This is a copy of the charges really made, not alleged to be a copy of that lodged with the Clerk of the Peace; it is a list containing tolls reduced in amount from those on the toll-board.

2857. Do you not charge toll upon cabbage plants, which are not entered upon this list?—I do; I charge a toll for them of 1*s.* 6*d.* per cart-load. The following are lists of tolls furnished by the chairman of the Town Commissioners, and certified by him to be true copies; No. 1, of the toll-boards at present exposed in the markets and fairs of Nenagh, and No. 2, of the list of tolls lodged with the Clerk of the Peace:—

No. 1.—Customs of Nenagh on Fair-days, and Big Market-days.

Edward Hanley, Collector.

	s.	*d.*		*s.*	*d.*
Milch cows, each,	0	5	Fowl in kishes, or otherwise,	0	6
Dry cows, and 3 years old, do.	0	4	Friezes, flannels, linens, per load,	0	6
Two years old, do.,	0	3	Every pig sold,	0	3
One year old, do.,	0	2	Do., if carried out by man or woman,	0	4
Horses, do.,	0	6	Bonaves in kishes, and each coming in,	0	1
Ewe and lamb, until the 1st of August,	0	1	Wool, per bag,	0	6
Do., afterwards,	0	2	Hay, per load,	0	6
Asses, each,	0	3	Straw, do.,	0	3
Single standings,	0	4	Corn of every description, per stone,	0	0¼
Do., with soft goods (covered or not),	1	1	Plants, per hundred,	0	0¼
Hatters' standings,	0	10	Scollops, do.,	0	0¼
Hawkers' do.,	0	4	Hides, each,	0	4
Woodenware, per car-load,	0	6	Tallow, if under 1 cwt.,	0	4
Fruit, do.,	0	6	Do., if above 1 cwt.,	0	8
Kishes and dung-baskets, each,	0	1	Every crock, firkin, or tub of butter,	0	6
Fish and lemons, with men hawking,	0	6	Potatoes, per barrel,	0	3

Big Market-days pay as fair days.

No. 1.—Customs of Nenagh on Market-days.

Edward Hanley, Collector.

	s.	*d.*		*s.*	*d.*
Milch cows, each,	0	5	Fowl in kishes, or otherwise,	0	6
Dry cows, and 3 years old, do.,	0	4	Every crock, firkin, or tub of butter,	0	6
Two years old, do.,	0	3	Hides, each,	0	4
One year old, do.,	0	2	Tallow, if under 1 cwt.,	0	4
Horses, do.,	0	6	Do., if above 1 cwt.,	0	8
Asses, do.,	0	3	Hay, per load,	0	6
Sheep or calves, do.,	0	1	Straw, do.,	0	3
Single standings,	0	2	Every pig sold,	0	2
Do., with soft goods (covered or not),	0	6	Bonaves in kishes, or coming in,	0	1
Hatters' standings, each,	0	4	Wool, per bag,	0	6
Hawkers' do., do.,	0	2	Corn of every description, per stone,	0	0¼
Woodenware, per load,	0	3	Plants, per hundred,	0	0¼
Fruit or vegetables, do.,	0	2	Scollops, do.,	0	0¼
Friezes, flannels, and linens, do.,	0	4	Potatoes, per barrel,	0	3
Kishes and dung-baskets, each,	0	1	Tents or booths,	2	6
Fish and lemons, per basket,	0	6			

November 1, 1850.

Reps. of P. Holmes, *Owner.*

No. 2.—Baronies of Upper and Lower Ormond.

Tolls and Customs of Nenagh on Fair-days.

NENAGH, 10*th November*, 1852.

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Edward Hanley.

	s.	d.
For every milch cow,	0	5
Black cattle, above 3 years old, each,	0	4
Do., do., 2 do., do.,	0	3
Do., yearlings, do.,	0	2
Horses, mares, or geldings, do.,	0	6½
Ewe and lamb, until 1st of August,	0	1
Do., afterwards,	0	2
Sheep and calves, each,	0	1
Single standings, do.,	0	6½
Do., with soft goods,	1	1
Hatters' standings, each,	0	10
Hawkers' do., do.,	0	4
Corn of every description, for toll and custom, weighing, &c., per stone,	0	0¼
Woodenware, per load (one property),	0	6
Scollops, per hundred,	0	0¼
Fruit, per load,	0	6
Kishes and dung-baskets, per load,	0	6
Fish hawkers,	0	3
Each hide,	0	4
Fowl in kishes, or otherwise,	0	3
Each hog, sow, or pig,	0	3
Pigs, brought in kishes,	0	1½
Tents or booths,	2	6
Wool, per bag,	0	6
Each carcase of beef,	0	6
Each carcase of mutton,	0	3
Each firkin, crock, or tub of butter, per cwt.,	0	4
Tallow, if under ½ cwt.,	0	4
Do., if over,	0	8
Every load of hay sold,	0	6
Do., straw, do.,	0	3

Peter Holmes, *Proprietor of the Tolls and Customs of Nenagh.*

June 23, 1818.

No. 2.—Baronies of Upper and Lower Ormond.

Tolls and Customs of Nenagh on Market-days.

	s.	d.
Single standings,	0	2
Do., with soft goods,	0	6½
Hatters' standings,	0	5
Corn of every description, per stone, for toll, cranage, pickage, and storage,	0	0¼
Potatoes, per barrel, for weighing, toll, cranage, and custom,	0	3
Sheep or calves, each,	0	1
Fruit or vegetables, per load,	0	4
Scollops, per hundred,	0	0¼
Each hog, sow, or pig,	0	2
Do., in kishes coming in, each,	0	1
Woodenware, per standing,	0	3
Hawkers, each,	0	2
Every car load of fish,	0	4
Kishes and dung-baskets, per load,	0	6
Black cattle, above 3 years old,	0	4
Do., do., 2 do.,	0	3
Do., yearlings,	0	2
Milch cows,	0	5
Horses, mares, or geldings, each,	0	6½
Fowl in kishes, or otherwise,	0	3
For every firkin, tub, or crock of butter, ½ cwt., and upwards,	0	6
Hides, each,	0	4
Tallow, if under ½ cwt.,	0	4
Do., if over,	0	8
Each load of hay sold,	0	4
Do., straw, do.,	0	2

Peter Holmes, *Proprietor of the Tolls and Customs of Nenagh.*

June 23, 1818.

Edward Pine examined.

214.
Edward Pine.

2858. What is your occupation?—I buy a good deal in this market for my father, and weigh in my father's scales what I buy for him.

2859. Do you make any charge for porterage or weighing?—No.

2860. What is the system of weighing in your father's scales?—We require a cast of the beam; and, in weighing heavy draughts of oats, use four pounds as the smallest weight. In weighing wheat, we weigh with a one-pound weight, and barley with a four-pound weight. In large draughts of corn, however, we always give and take.

2861. Is there any regular system of weighing in the merchants' stores?—Yes; the custom of the town is followed by all of them; we pay for odd pounds of corn—even for a single pound. I think about half a-pound would bring our beam from standing beam to down weight; we deduct four pounds beamage from a barrel of barley—the same from a barrel of wheat; we deduct the exact weight of the sack from the gross weight of wheat and barley, and seven pounds in all cases for the empty sack in oats. I buy about 600 barrels of corn in the week. The difference in the mode of weighing the different kinds of grain is only attributable to custom; there is never less deducted in the case of oats than seven pounds for the empty sack.

2862. Have you ever heard complaints of the mode of weighing at the private scales of the merchants?—No; I have not.

2863. Would you be in favour of a general market, such as I have described to the last witness?—I would.

Peter Slevin examined.

215
Peter Slevin.

2864. What is your occupation?—I buy corn largely in this market, wheat and barley. I buy for a gentleman in Dublin, and I weigh it in my own stores.

2865. What is your system of weighing?—I weigh wheat with standing beam, and seven pounds is the smallest weight used; I weigh barley standing beam, and use no smaller weight than four pounds; I deduct four pounds beamage on wheat; I do not buy any oats; I tare the empty sack in weighing wheat; and deduct seven pounds for the weight of the sack, in all cases, in weighing barley.

NENAGH, 10*th November*, 1852.

215. Peter Slevin.

2866. Would it not be better, in all cases, to weigh corn at standing beam, using one pound as the smallest weight, and make no deductions from the gross weight of the corn, except the actual weight of the empty sack?—It would; but I think it would be difficult to get the farmer to bring in his corn sufficiently clean to allow of beamage being abolished; we deduct the beamage on account of the dirt in the corn.

2867. If the corn was discovered dirtier than the sample would you not cut it, and make a further deduction?—I would; and perhaps the present system of beamage may make the farmer careless of cleaning his corn.

2868. Should not the farmer get the value of his seven pounds of corn, which he may lose, under the present system?—If the system you propose were made general there could be no objection on the part of buyer or seller.

2869. Do you pay for the broken pounds of corn?—I do, even for a single one. If the real gross weight of the corn was twenty stone three and a-half pounds, I would pay for twenty stone, knocking off only three and a-half pounds for beamage; if it weighed twenty stone seven pounds, I would pay for twenty stone three pounds.

2870. Would you be in favour of a general market?—I would; and I would also be in favour of an assimilation of tolls, weights, and measures, over the whole country. It would also be much better if a book was kept by the weighmaster, showing the weight, average price, and nature of the agricultural produce sold in the market in the year.

216. Daniel Hockter.

Daniel Hockter examined.

2871. What is your occupation?—I live in this town, and buy a great quantity of wheat, barley, and oats, in the market, which I weigh in my own stores.

2872. What is your system of weighing at your own stores?—I weigh, standing beam, wheat and barley, and down weight weighing oats. In large draughts of corn I use four pounds and two pounds, as the lowest weights, according to the weight of the draught. I deduct four pounds beamage on a barrel of wheat and barley, and tare the empty sack. In weighing oats I deduct seven pounds for the weight of the sack, and deduct no beamage.

2873. Do you concur with the former witnesses as to the establishment of a general market?—Yes, I would approve of the establishment of general markets.

2874. Would you be in favour of weighing agricultural produce, in all cases, standing beam, using one pound as the smallest weight, and making no deduction from the gross weight, except the actual tare of the empty sack?—I think it would be a much better system than the present, and could not be objected to by any person. I also think that an assimilation of weights and measures all over the country would be a great advantage. It is by the stone they generally buy oats here: I think it would be better, in all cases, to buy corn everywhere by the stone and hundred-weight.

217. John Hanley, esq.

John Hanley, esq., Chairman of the Town Commissioners of Nenagh, examined.

2875. Do you generally concur in the statements of the witnesses who have been examined?—I do, generally.

2876. Do you approve of the establishment of general markets, such as I described?—I do. I have heard of frauds practised upon parties weighing at the merchants' stores, and I have also heard that they had not proper weights. Under any circumstances, I think the practice of weighing at the buyer's stores is objectionable, as affording facilities for fraud. The system and manner in which the weighing is conducted at present, in the public scales, is also objectionable.

2877. Have you any suggestions to make with regard to fairs?—I think it is very wrong to hold the fairs in the streets of a town. I know myself of a man being severely hurt by the cattle, in the streets of Nenagh, on the fair day. A proper fair-green ought to be established in return for the tolls derived from the fairs. I also think the adoption of your suggestion, that smaller tolls should be charged upon all cattle entering the fair, instead of the present ones upon the cattle sold leaving the fair, would be a great improvement; and it would get rid of the present system of clearing them at the gap, which is most objectionable. A much smaller toll would pay as well, and no oath would be administered. I think the patent ought to be produced, as I think it would show that the proprietor is bound to supply proper accommodation; and I think he has fairs upon days that are not in his patent.

2878. When was the patent granted?—I think it came from Lord Ormond; but I do not know the exact date of it.

2879. What return is given by the proprietor for the tolls he receives on the fair days?—None whatsoever. I have heard it stated that the tolls upon the toll-board are higher than those actually charged; but the men collecting can charge what is upon the board, as long as it remains unaltered. I have heard that they do so. The men collecting the small tolls search, I have been told, the farmers' wives coming into the town in a most improper manner, in order to discover if there are any small articles concealed under their clothes. Their baskets, I have heard, are sometimes taken from them for a halfpenny toll. I do not, however, believe that those things are practised much since Major Dundas became lessee of the tolls.

O'Brien Dillon, esq., examined. 218. O'Brien Dillon, esq.

2880. You have heard the statements and suggestions made by the witnesses, do you concur generally in them, and can you suggest any thing further for the improvement of the fairs and markets?—I do concur generally in the suggestions and statements. I think a general market, of the nature you described, under a sworn weighmaster, would be a very great improvement upon the present one; thus proper statistics of the markets in Ireland could be every year given to Government. The present mismanagement of the market and fairs has injured this town already. I think the tolls ought to be charged upon all cattle going into the fairs. I should also approve of weighing at standing beam with a one-pound weight, and making no other deduction than the actual weight of the empty sack. There is no weigh-bridge in the town, and one is much required.

2881. Have you heard any complaints of frauds being practised in the merchants' stores?—I have, very often. There are many frauds practised, I believe, in the butter market. I quite agree in every thing that Mr. Hanley, the Chairman of the Town Commissioners, said.

Thomas Uniacke examined. 219. Thomas Uniacke.

2882. What is your occupation?—I am inspector of weights and measures for this district. I often discover frauds committed by parties using false weights. I have found as much as four pounds deficiency in every half-hundred-weight. I do not think I ever found a wrong weight of corn returned, or deficient weights in a merchant's stores arising from fraud, but always through mistakes or neglect. It is my duty only to see that the weights used are right and proper ones, and not to see if articles are properly weighed.

Rev. Mr. *Mac Mahon*, Curate to Roman Catholic Bishop, examined. 220. Rev. Mr. MacMahon.

2883. Do you wish to make any observation?—I have been directed by the Roman Catholic Bishop of this place to call the attention of the Commissioners to the mode in which oaths are taken at the fairs, as he considers the practice has a tendency to lower the obligation of an oath.

2884. You are of opinion it makes the people think lightly of taking an oath?—I do not think it is so much injurious to the people who take the oaths, as to the persons who administer them, under the present system. I also think the forestalling that takes place in this town is very objectionable; and if it could be prevented by any law, such would be a great relief to the poor people.

Rebecca Moore examined. 221. Rebecca Moore.

2885. What is your occupation?—I endeavour to earn a livelihood by selling apples about the town.

2886. Have you any information to give to us?—Yes; I have to complain that I am charged 2*d.* for carrying a basket of apples on my arm, on every Thursday and fair-day; and it is a great hardship to pay 2*d.* for a basket of apples, which is never worth more than 2*s.* 6*d.*

J. Kilkelly, esq., examined. 222. J. Kilkelly, esq.

2887. Do you wish to make any observation?—Yes; I have to state that complaints are made of the indecent manner in which women, coming into the town, are searched and handled by the collectors of small tolls, in order to discover if they have butter, eggs, or any other small article liable to tolls concealed under their clothes, or about their persons.

James Hekin examined. 223. James Hekin.

2888. What is your occupation?—I collect tolls in Nenagh.

2889. How do you know what tolls to collect?—I do not go quite as high as the toll-board.

2890. Have you any list of tolls by which you go exactly?—No; I recollect what to charge. I never charge anything that is not on the toll-board.

2891. Are you in the habit of searching women coming into the market?—No, I have not done so this long time; not these six months. It is not the custom at present.

2892. Can you say that the other collectors do not search the women coming into the town at the present time?—I cannot say whether they are searched by the other collectors or not; I can only speak for myself.

2893. What toll do you charge to women carrying baskets?—I charge 1*d.* for a basket of turf, and ½*d.* for small baskets of fruit carried by women.

2894. Is there a charge for carrying fruit printed upon the toll-board?—No; they are charged under the head of hawkers, which is upon the toll-board. There is no other article charged for which is not upon the board.

Rody Clifford examined. 224. Rody Clifford.

2895. What is your occupation?—I collect customs at the fares, and on market-days.

2896. According to what do you collect them?—I collect them by the board.

2897. Are all the boards the same?—I do not know; I do not collect all the tolls. I do not know how to collect some of the tolls.

NENAGH, 10*th November*, 1852.

224 Rody Clifford.

2898. Do you ever search any of the women coming into the town?—No, I do not.

2899. Do you ever charge any toll not upon the board?—No, I do not.

2900. Do you ever charge toll upon a goat or ass?—Never. I do not charge as much as is on the board. I do not strictly keep to the full sum that might be charged. I have not a correct list to go by to charge them. Hekin does not collect in the body of the market.

2901. How do you keep account of what you collect; do you enter what you receive in any book?—No, I keep no book; I put what I receive in my pocket, and know what I receive by counting it afterwards. I put the silver in one pocket, and the copper in the other, and have no money of my own to mix with it.

2902. How do the collectors of tolls at the different entrances to the town know what to charge for corn coming into it?—They charge according to the apparent weight of the article coming in, and if they charge too much, the farmer gets it back. For instance, if 4*d.* is charged upon a bag of corn at the entrance of the town, for toll, it is afterwards weighed in the market scale, and the farmer is asked what he paid at the gap, and then, if he paid too much, a ticket is given to him, and the difference returned to him on his going out of the town by the person at the gap who had charged the toll in the morning.

225. Daniel Kennedy.

Daniel Kennedy examined.

2903. What is your occupation?—I am an auctioneer, and reside in Nenagh.

2904. Do you wish to make any statement to us?—I wish to state that I know of poor persons having to pay, in the town, on a skillet, a can, and pot, of the value of about 4*s.*, as much as 6*d.* for standing in the town. James Hekin was the person who charged it as tolls. I had six sales on that day, for which I paid 3*s.* I will produce my book. There was also a bag of oats taken from my door by the toll-collector. [*Produces his book.*] This book shows 6*d.* was charged for the three small articles I mentioned. I will swear that my book is correct. Hekin charged 6*d.* upon about 5*s.* worth of articles upon the last fair-day.

2905. How does the book show that you paid these tolls?—It shows only what I charged the people whose property I sold, but does not show what I paid; but I never charge more than I pay. The last day, for the standing of 10*d.* worth, I was charged 3*d.*; I could swear all these charges were made.

226. James Hekin.

James Hekin re-examined.

2906. What do you say to the statements of the last witness?—On last Thursday Kennedy called upon Major Dundas to clear a large space of ground for the sale of furniture which he had to sell; the charge complained of was made, not for the three articles, but for a large quantity of furniture. I did not charge 6*d.* for a pot, can, and skillet; I could charge 3*d.* for the standing for his own goods.

2907. Twopence seems to be the charge upon the toll-board, why then should you charge him 3*d.*?—If 2*d.* is the charge upon the board, I believe that is what I charged him.

2908. To whom do you account for what you receive?—To Major Dundas; I keep no book, and therefore can give no proof but my word of how much I charged him; I keep no separate pocket for Major Dundas; I never have any money of my own; I have to pay what I collect in the day in the evening; I get for collecting the tolls 2*s.* 6*d.* a day.

2909. Could you state exactly what you charged Kennedy?—I could not; I charged him for the standing, I should say, 3*d.* I have a right to charge him separate tolls upon the property of each person, whose property is offered for sale.

227. The Sergeant of Constabulary.

The sergeant of Constabulary, stationed in Nenagh, stated, that he saw Hekin search a woman for butter that he supposed she was concealing from him, to avoid the toll chargeable upon it. This occurred, however, before Major Dundas's time.

LIMERICK, 11*th November*, 1852.

228. Francis Spaight, esq.

LIMERICK, NOVEMBER 11, 1852.

Francis Spaight, esq., examined.

2910. I believe you are president of the Chamber of Commerce in Limerick?—I am.

2911. Under what authority is the market at Limerick held?—It was formerly held under a grant or charter to the Corporation of Limerick; but there has been a new Act of Parliament obtained, which I hold in my hand, under which it is now authorized to be held, although not yet worked under it. By the 18th or 19th clause of this Act, the market cannot be worked under the new Act until all the land required for it is taken; I expect, however, that it will come into operation about the 1st of August next. The principle of the Act is to concentrate all the markets in Limerick, and bring them under the control of one body.

2912. Will the present potato-market be abolished?—No; the Act gives another potato-market, but we will keep the present one in addition to the one to be held under the Act; by this new Act all the agricultural produce must be sold and weighed in the market, and the farmer will get his corn correctly weighed in a proper market-place in return for the tolls paid by him. It must be weighed whether bought or not, and must pay for weighing. There are to be no stores in the market; if the corn is not sold after it has paid for weighing, and if it is brought in another day, it will be charged again. The system of weighing, under

the Act, is at standing beam and no deduction is to be made except the actual weight of the empty sack. The present system, abolished by the new Act, is six pounds beamage on oats and barley, and seven pounds beamage on wheat; down weight sometimes, but no regular system.

228.

Francis Spaight, esq.

Referred to in the Report, p. 25, as Q. 2865.

2913. Do you not consider weighing in the private stores of the merchants objectionable?—I do.

2914. Do you not think that there ought to be an assimilation of weights and measures all over the country?—I do.

2915. Would you be in favour of general markets in every town, with a properly enclosed market-place, a sufficient and efficient staff, and under the supervision of a sworn weigh-master, in which all the agricultural produce sold in the town should be weighed?—I would; it is the same system as our new Act prescribes, and under it the farmer would know what he was getting.

2916. Would you not approve of an assimilation of tolls over the whole country?—I would; I would fix moderate tolls, and have a maximum rate. I think the assimilation of weights ought to extend to England as well as Ireland. I do not consider it material whether agricultural produce should be sold by the barrel or stone; by the stone I should think rather preferable. Under the new Act Government will be able to ascertain the quantity of all the corn sold, its price, amount, and description, which could not be obtained under the old system. The sale of butter is provided for in the new Act; there is a toll to be levied under it for butter, which includes inspection and all other charges. The trustees of the market, under the new Act, have power to make a bye-law that all butter should be sold by weight. Our power extends to only one mile outside the borough; we propose to have a store from which butter, when once qualified and branded, shall not be taken until it is shipped by porters, who shall be independent of the buyer. A large income ought to be derived from the butter-market; it ought to be much larger than at Belfast.

2917. How many fairs are there in this town?—There are fairs held twice a-year in the immediate neighbourhood of Limerick, at which tolls are collected. The fair-green is not enclosed, nor is it sufficiently large; the old fair-green has, however, been taken for the Great Munster Fair. By our new Market Act every thing must be sold and weighed in the market; that is, sold within a mile of the borough, which is the limit of our jurisdiction under the new Bill; no corn can leave the market after it is sold, without weighing, and paying the toll; according to the Act, toll cannot be charged upon corn unless it is sold.

2918. Do you not think that there ought to be a law passed, that no proprietors of fairs should levy tolls unless they provided proper accommodation, such as a properly enclosed fair-green?—I think it would be only fair that a proprietor should not be entitled to any tolls unless he provides proper accommodation to the public, in return for the tolls he receives, and that the tolls should, in all cases, be defined by an Act of Parliament.

2919. Do you not think it would be a better system to charge a small toll upon all cattle entering the fairs, instead of upon those that are sold when going out of the fair, as at present?—I think it would be much better to charge moderate tolls upon all going into the fair; such is the system proposed under the Act authorizing the establishment of the Great Munster Fair, which will come into operation next Spring. The proprietors of the Munster fair have taken the old fair-green and an additional quantity of land, so that the Great Munster fair-green will be about eighteen acres in extent, and all tolls chargeable by the Act upon cattle, are chargeable upon them entering the fair, and not on their leaving it. It is most desirable that all markets should be put upon the same system of weighing, and that all corn should be weighed standing beam, with one pound-weight, and that no deduction should be made from the gross weight of the corn, but the actual weight of the empty sack. Indeed, unless a general Act is passed, making the provisions of the Limerick Act general in all the markets in Ireland, the Limerick market will, in my opinion, at any rate for some years, suffer, as corn sold in the manner directed in the Limerick Act will appear to sell at a smaller price per barrel than elsewhere, and the farmers will prefer to sell where they appear to get the greatest price.

2920. Do you not consider that the system of weighing in the private stores is very objectionable?—I do; I think every thing sold in the town should be weighed in the public scales, which prevents an open for fraud.

2921. Is not the present system of selling butter by lump very objectionable?—Yes; all butter ought to be sold by weight, under a sworn inspector, and stored, as it used to be, before the repeal of the Butter Act.

Francis John O'Neil, esq., examined.

229.

F. J. O'Neil, esq.

2922. What is your occupation?—I am treasurer to the Corporation of Limerick.

2923. Do you concur in the statements of Mr. Spaight?—I do. Oats and barley in this city are generally bought in the streets, and weighed in the private stores; tolls are at present charged within the boundaries of the borough. In the potato-market 2*d.* is charged for each cart-load brought into it, and 1*d.* for the use of the buckets. These buckets hold fifteen pounds, water measure, which is a stone of potatoes here, but the farmers generally heap the buckets for the buyers. With respect to the charges upon corn, there is a charge made by the merchants of 2*d.* a barrel on wheat at their stores for porterage; formerly, the wheat used to be carried to the stores by porters on their backs, and ever since a charge for porterage has been made; the amount charged used formerly to be actually paid to the porters who carried the wheat; there is no charge of this nature for any other

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kind of grain. Under our new Act this charge, as well as deductions for beamage, are abolished.

2924. Do you think the system of weighing at the merchants' stores is very objectionable?—I do; four pounds is the lowest weight used in weighing in nearly all the stores here, by which the farmer may lose nearly four pounds of his corn on each draught, and he would besides lose all the odd pounds, as the merchant never pays for the broken pounds after he has made all the usual deductions. At present a farmer may lose on a barrel of wheat seven pounds beamage; four pounds from using down weight, and no less a weight than four pounds, 1½*d.* tolls, and 2½*d.* porterage, and may lose all the odd pounds besides, as they are never paid for by the merchant. On oats the farmer at present loses six pounds beamage, and as it is weighed down weight, and four pounds is the smallest weight used, he may lose ten pounds of oats on fourteen stone, besides the tolls and the broken pounds; and he is charged the beamage on his corn, no matter how clean it may be, and if it is at all dirtier than the sample, he is liable to have it cut, and a further deduction made in the price. If the provisions of the new Limerick Act are not made general over the country, a jobber could buy with advantage at Nenagh, or some other neighbouring town, where the new system did not prevail, and sell with advantage in Limerick. I think the inducements held out by the fair dealing that will exist under our new Act, ought to bring farmers to sell here in preference to those other towns; at the same time, high prices used to bring to where they exist, and, for a time, I am sure the farmers would go elsewhere to sell, where the prices are quoted higher, until they find out the advantages they would receive from the fairness of the new system.

2925. What is your opinion of the present system of selling butter?—Since the repeal of the old Butter Act, the butter market has not been satisfactorily managed. The present system does not work well. It is now bought by the lump, the farmer gets as much as he can, and gives as little value as he can in return. If the skeleton of the old act were taken and applied to the altered state of the country, it would be a very good measure. A firkin may be made by the farmer to appear of 10*s.* more value than it really is.

2926. Was compensation given to the late butter weighmaster, upon the repeal of the Butter Act?—Yes; the present butter market is a private one, kept by the son of the weighmaster, who received compensation on the repeal of the act, by whom the quality of the butter weighed in the market is tried. I would prevent the alteration of brands by having all butter, after it has been inspected, weighed and branded, shipped without leaving the stores, placing it in the depot to the account of each buyer, and I would have it loaded and shipped by the market porters. The butter should be properly branded, and any alteration of the brand prevented, by a heavy penalty. The new Market Act only takes effect within one mile of this borough; the limits are too small, as parties could go outside them and set up stores, and buy to the injury of the market in this town.

2927. Would it not be a better way to give a power of extending the limits of the market on obtaining the consent of the Lord Lieutenant, or some other person authorized by him to extend the market, upon a proper case for it being made out?—I think that would be a better mode of preventing the system I was speaking of being carried on, as much would depend upon the size of each town, and therefore, under a general act, no limits could properly be defined.

2928. Have you any suggestions to offer as to the management of the fairs?—There are four fairs held near this town, but they are not very good ones; I think the larger the town the worse its fair generally is. As a general rule, I think a proprietor receiving the tolls of a fair should provide a fair-green and proper accommodation in return. I think the farmer would rather pay a small toll on entering the fair, and get proper accommodation, than pay a larger one only if his cattle were sold under the present system, and get no accommodation. If the proprietor were to get only one-half the present toll, upon all the cattle entering the fair, he would, I believe, receive more money than he does at present, and the swearing at the gap would be got rid of.

2929. Do you think any person coming into the market to sell could be so poor as not to be able to pay a small toll entering it?—No; if the tolls were confined to cattle, pigs, and horses, and such like. I wish to observe, that by the new Limerick Market Act, all foreign corn shall be measured or weighed on the requisition of the buyer or seller. It is not measured or weighed on board ship, unless upon the requisition of the buyer or seller. Sworn meters ought to be employed in every instance. I think a clause ought also to be inserted in any general act, enabling parties with private market bills (if so inclined) to put themselves under it.

2930. Have you any other suggestions to offer?—I will send you my views in writing, which will supply any omission I may have made in my verbal evidence.

[*The following accordingly was transmitted to the Commissioners by Mr. O'Neil.*]

The mode of weighing, the several deductions made, (according to custom) which prevail almost universally to a greater or lesser extent through Ireland, exist in Limerick.

Local legislation (See Act, 15 Vic., cap. 104), *aims* at the abolition of these abuses. This, however, being a local Act, does not sufficiently effect the object.

It generally happens that to all local bills, whether the object sought be for the general good alone, or for local improvement ancillary to it, there exist or arise local and personal objections, and to avert or conciliate this opposition, concessions are made to propitiate, and alterations to satisfy, that eventuate in the production of an insufficient measure.

This result has arisen in the Act referred to, to an extent that, (although it may not operate to defeat the main object of reforming the markets of Limerick, within the domain

of its influence) will, most probably, and at no distant day, be a temptation to traders to set up and buy (irrespective of any prohibition) beyond the limited area, the several articles of agricultural produce protected by the Act.

1. The Act has no operation one mile beyond the borough boundaries; in this it is defective.

2. The Act abolishes all deductions on corn, grain, pulses, and seeds, but leaves untouched pork, butter, hides, and every other agricultural production sold by weight; and in these omissions it is defective.

3. As regards butter, a provision is made, in section 50, for its imperative inspection, *if brought for sale within the limits of the Act*, (viz., one mile outside the borough boundary), but this is likely to operate as a stimulus to that very system so condemned, the system of "lumping:" the dealers in the article need only establish a market a few yards beyond the limit, and continue there to buy, by hand, every firkin of butter they can; therefore, here, the Act is insufficient.

It may be questioned, also, whether the same system of catching, as it were, the supplies approaching the market of Limerick, may not be adopted with every other article, and this brings on the consideration of the necessity that exists for general legislation on the subject. To a certain extent, the "Limerick Market Bill" provides a remedy for the abuses so long complained of by the fair trader; but nothing save legislative enactment for all Ireland can do so effectually.

There is scarce an article of agricultural produce that has not to undergo some impost or some deduction—grain of all kinds, without exception.

1st. Wheat, twenty stone seven pounds brought in by the farmer, returns but twenty stone, the beamage being seven pounds per barrel; and there is also a deduction from the amount of its value of 2½*d.* per barrel for porterage.

2nd. Oats, fourteen stone six pounds brought in by the farmer, returns but fourteen stone, the beamage being six pounds per barrel.

3rd. Barley, sixteen stone six pounds, but sixteen stone.

4th. Beans, twenty stone seven pounds, but twenty stone.

5th. Rape seed, sixteen stone six pounds, but sixteen stone.

Pork, on each pig, on an average an allowance of seven pounds.

Butter, five pounds to six pounds per firkin; the weight of the firkin of butter, or rather of the butter in the firkin being from sixty-four to seventy-two pounds.

The several other articles not enumerated here are subject each to its own deduction; in fact, there is not a hide or skin bought by weight that is not subject to it.

Now it is obvious, that if Limerick market be partially free from these abuses, and that they are suffered to exist in the several market towns that are tributary to it, there will be established an encouragement to persevere in a mode of dealing so destructive to the public weal; nay, were it so, that Limerick were by its local Act wholly free, as it ought to be, from any abuse whatsoever, it would but become a "depot market" for jobbers in the district.

Taking into consideration the long existence of the deductions and imposts on agricultural produce in the several markets, how frequently, yet, how inefficiently local enactments have been obtained to regulate them, and how fruitlessly the several statutes against fraud have been brought to bear to abolish them; it is manifest, now, that one comprehensive Act of the legislature ought to be passed to abolish *all* deductions from the true weight of every article sold in the several markets of Ireland.

To establish such markets, in every city, town, and village in Ireland, as will give proper security for the due operation of the law. To adopt such a scale of market tolls as will be neither oppressive to the producer on the one hand, nor inefficient for working the markets on the other; bearing in mind, that the larger markets can be managed at a smaller "*pro rata*" charge, than those where the quantity received is limited in extent.

To amplify and extend the insufficient powers of such markets as are established by local Acts, so that they shall participate to the full in the general legislation; but in an object of so much importance to the agricultural, the trading, and commercial interests of Ireland, to allow no vested rights—for which compensation is, as a matter of right, always granted—or individual interests, which can never be either satisfied or compensated, to stand in the way of a General Act to regulate the markets of Ireland.

P.S.—It may be very advisable, in compiling any general Act for regulating the agricultural markets, to introduce the establishment of sworn weighers in every seaport town, to regulate the weight of such articles as pass from the seller to the consumer from on ship board.

Butter brought in by the farmers in firkins is sold principally by lump—as it is termed—that is to say, at a rate agreed upon by bargaining for each cask. In the purchase, regard is, of course, had to the probable weight, to the quality—as far as it can be ascertained by boring—and to the locality and make of the butter; but the interest of the seller being, obviously, to have the most money attainable for each package, it too often occurs that neither the weight nor the quality are truly what they appear; so that under this system of dealing, there is a constant and unseemly struggle between the buyer and the seller, to outwit each other.

This system has gradually lessened the character of the butter of Limerick, and is likely, if persevered in, to direct the produce of the district to other markets, particularly to Cork, where sounder policy guides the transactions in this important article of agricultural produce. Already several of the large dairy farmers go to Cork with their butter, in prefer-

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ence to the risk they suppose they would incur in Limerick; and in the manufacture of the butter designed for Cork they take more pains than in preparing such as they bring to the market here.

There is a private market and weigh-house, at which butter is qualified and branded, but not more than one-eighth part of the butter sold in the market passes through inspection, or through this market.

The character of the inspection of this market cannot be an undoubted guarantee to purchasers; it may be looked upon as some better security than the capricious or unscrupulous qualification of the buyers; but being under control of no local committee, like the weigh-house in Cork, and existing only, as it were, on sufferance, it is not to be expected that the same rigid principle can guide it, as ought to direct any such establishment for testing the quality, and fixing the value, of any article of such importance.

It may be doubted whether the same rigid inspection will be applied to the produce of a large dairy, from whence forty to fifty casks may come into that market in one day, as to the single cask of a cottier farmer. When it is optional with the farmers to come there at all, it is not straining probabilities to calculate that the leaning beam will be to induce them to come, by giving encouraging inspection; but at the same time, it is to be borne in mind, that the buyers also will require an inducement to frequent the market; so that in such a market there must be always a great doubt of perfect impartiality. Any market pretending to equal and impartial justice ought to be wholly free from those influences. It seems impossible to have it so by any local arrangement; it can only be so by general legislative enactment; nor is it likely that any local arrangement amongst the buyers, nor even a local Act of Parliament, can effectually do away with the system of lumping butter.

The deductions from the weight of butter, when purchased by weight, should be entirely done away with. These are equal to five pounds off each firkin, whatever be its weight, and six pounds off firkins that weigh over eighty-four pounds, viz.:—four pounds and one pound from standing beam on the first, and five pounds and one pound from standing beam on the second; besides 6*d.* per firkin weigh-house charges. Were the entire quantity of butter shipped from this port to go through the weigh-house, the actual amount in deductions from the real weight, would be equal to £13,125, viz.:—five pounds in, say, 84,000 firkins, equal to 3,750 hundred-weight, at the average price of £3 10*s.*, per hundred-weight; and although the entire quantity is not weighed, it is fair to presume, that in the system of lumping and partial weighing, an equal, if not greater amount is deducted from the farmer. It is curious to observe, that notwithstanding this apparent large diminution of the cost of the article, the butter trade is not a prosperous one; and is confined, with the exception of two or three long-established houses, to persons who possess very inconsiderable capital. The whole system is a fallacy in commerce,—buying, nominally, 112 pounds for £3 12*s.* and really paying but £3 7*s.* for it;—buying by lump at the risk of cheating either the buyer or the seller, and competing for quantity, frequently, so that on the price-board in the weigh-house it is a constant practice to have a certain price, say, £3 15*s.* chalked up as the rate, while 2*s.*, 3*s.*, and often 4*s.* over, are paid per hundred-weight.

It would tend to the establishment of a sound trade in this branch of agricultural produce, to its improvement in quality, and to its increase in quantity, if the present system, as described, were wholly exploded, and a general Act passed to regulate the butter markets of Ireland.

The Act of 52 Geo. III., c. 134, regulated the making up, qualification, and weighing of butter so effectively, that under its provisions, and during its operations, the quality and quantity of butter improved extensively in Ireland. When, however, this improvement seemed to be perfectly established, it appeared advisable to take off all the restrictions the Act imposed, and to leave the manufacture, the packings, and the qualification, to be regulated by the public themselves. These restrictions have been removed since 1829, and from the date of their removal, the complaints, now so general here, and in many other markets in Ireland, began to have foundation.

Objections may be reasonably started to returning to any general restrictive system in the other articles of agricultural produce, that can scarcely be established as regards butter;—an article that requires such care in manufacture, of such indispensable necessity, may well be an exception to any general rule.

Referring to the Act repealed in 1829, we find that public weigh-houses, public factors, qualification, and branding, were established; that the casks were first subjected to inspection; that when filled they could not be sold but in the public weigh-house; that in short, the whole of the butter exported should be examined, weighed, qualified, and branded in a public weigh-house; and that none could be exported until after having undergone such process. To a considerable extent these Acts had the desired effect, but some additions may be now effectively made.

If it be resolved upon to have a general enactment to regulate the butter trade, it might contain the following provisions:—

1. To abolish all deductions of beamage, tret, or other allowance, whatsoever.
2. To regulate the sale by the hundred-weight of 112 pounds; the parts of such hundred-weight contained in a firkin to be ascertained by weighing only.
3. To make it penal (in at least 40*s.*), to buy any package of butter of more than fourteen pounds weight, by lump.
4. To regulate the soundness and weight of the casks, fixing the maximum of each at sixteen pounds; no firkin of butter to weigh more than three quarters gross.

5. To provide for, and punish all fraud in the making-up.
6. To provide for qualification and branding.
7. To establish, in all seaport towns, or in any town (as Carlow, Kilkenny, &c.,) from whence butter is transmitted for export, depôts for its custody until shipped direct from such depôts; and to fix a rate (per cask) sufficient to cover these expenses, and yet moderate enough to prevent its being looked upon as an impost on agriculture.

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Thomas O'Connor examined.

230. Thomas O'Connor.

2931. What is your occupation?—I am weighmaster in the potato market.

2932. What is the present system of weighing in that market?—We weigh down weight; four pounds is the smallest weight used. There is no beamage deducted in weighing potatoes; instead of it we allow fifteen pounds to the stone. The scale must touch the ground. There is no charge except 2*d.* a load for standing in the market; and another 1*d.* a load is sometimes charged for the use of buckets, when sold in smaller quantities. A barrel of potatoes consists of forty-eight stone. I would be in favour of using a one pound weight, and standing beam, and making no deductions, except the actual weight of the empty sack; the empty sack is always tared here.

John Lane examined.

231. John Lane.

2933. What is your occupation?—I am inspector of butter in Limerick; I am not employed under any one; I received the market from my father; I inspect all the butter sold in my market. The character of Limerick butter does not rank high in London; it is generally bought here by lump. The buyers generally qualify it themselves, and ship on their own responsibility; some obtain a good price for their own private brand. I think all butter ought to be weighed and branded by the inspector of butter. The butter branded by some of the Limerick merchants ranks as high as any other in London. The buyers prefer buying it by lump to sending it to be weighed and branded in the market, to avoid the tolls charged in the market. Under the new Act I fear the best class of merchants will sometimes go to the limits of the market, and purchase butter there under the present system. I think all butter ought to be shipped upon the inspector's brand, and from the depôt, in which it should be stored immediately after having been branded; and it ought never be in the merchant's possession, until it is shipped.

2934. What is the greatest number of firkins sold and weighed in your market in one day?—About 200 firkins; and about 10,000 firkins is the number weighed in the year. The ground of the butter market belonged to the Corporation. Mr. Vereker built upon the ground and became the proprietor of the butter market; when Mr. Vereker got compensation, he was required to keep the market open. Mr. Vereker got £1,200 a year compensation. The lumping system prevails to a very great extent; merchants buy largely in other markets and qualify the butter themselves.

2935. How many inspectors would be sufficient to qualify and brand all the butter brought into this town for sale?—I think two inspectors would be quite enough; five hundred firkins might be inspected in a day.

2936. What are your charges in the butter market?—Two pence for inspection, and one penny for weighing and branding; it could be also coopered; the charge for cooperage is, I think, 3*s.* 9*d.* for forty firkins.

Thaddeus Macdonnell, esq., examined.

232. T. Macdonnell, esq.

2937. Where do you reside?—In Limerick; I trade in butter and corn; I would not be in favour of the old butter act being renewed, as butter that will answer as first class for one market may not suit another market, and therefore, the butter ought to be qualified for the market to which it is to be exported. The changing of the brand does not cause much fraud, as it would not be the interest of the buyer to lower the value of the butter of the market he buys in; I do not approve of the lumping system; I would have an inspector appointed, and all butter weighed in the market, but I would not have it put in the stores and shipped from the stores; I would oblige all butter to go into the market, and be weighed and qualified by the sworn inspector, but would then allow the merchant to take it to his own store. The only part of the new system under the butter act to which I object is the depôt; I would not allow it to be purchased until qualified by the weighmaster; I might have to alter the brand for a particular market, as what is first in one market may not be first in another. I would in many cases put my own brand upon it. I think it would be better not to allow the butter to be branded by the inspector, unless it was weighed by him and stored in the depot, and shipped from it. I would have the butter weighed and inspected by the inspector, and qualified by him, and the quality marked upon it, but would not have it branded in a permanent manner at first; and if the merchant then chose to take it out of the market before it was permanently branded, I would allow him to do so, but in such case I would not have it permanently branded. If it was once permanently branded, I would have it put into the depôt, and not given up to the merchant or his men, but have it shipped by the market porters. The Limerick butter has not as high a character as it had in the London market; there is 4*s.* or 5*s.* difference between Limerick butter and that coming from other places. The merchants who would make use of the depôt would be persons who did not understand their trade. I would sooner depend on my own opinion than on any other person's. I would, therefore, give parties the option of having the market brand affixed, and putting it into the depôt or not, as they preferred. If all butter had to be branded and shipped upon the inspector's brand,

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a person knowing nothing of the butter trade would have the advantage of the inspector's opinion, and a person knowing his business would be equally bound by it, if the depôt was compulsory; and this I think would not be fair.

232. T. Macdonnell, esq.

2938. Would you be in favour of general markets in the different market towns of Ireland, with sufficient accommodation, a sufficient and efficient staff, and under the supervision of a sworn weighmaster, in which all the produce sold in that town should be sold and weighed?—I would; and I would also approve of an assimilation of tolls, weights, and measures, over the whole country.

2939. Do you not think that all agricultural produce, over the whole of Ireland, ought to be weighed at standing beam, with one pound weight, deducting nothing from the gross weight of the draught, except the empty sack?—I think it ought,

233. Wm. Carroll, esq.

William Carroll, esq., examined.

2940. What is your occupation?—I am secretary to the Chamber of Commerce.

2941. Do you concur generally in all that has been said by the witnesses?—I do; I think all agricultural produce ought to be weighed at standing beam, with as small a weight as one pound, deducting nothing from the gross weight, except the actual weight of the empty sack. I do not, however, agree with a former witness in thinking that any injury will result to Limerick on account of the new system upon which the markets will be conducted under our new Act; as farmers will send their produce to the market where the best system prevails. I am convinced they will soon find out that they receive more for their produce here than in other places, although the price does not appear so high. I have, however, no particular knowledge of the corn trade.

2942. Do you know much of the butter trade?—I do; under the new Act the casks must be branded, even when not put into the market; I would not have them branded permanently unless the merchant agreed to store them in the depôt. Three pence is what is to be charged for branding. I do not think there is any intention of charging for storage; three pence is the charge for branding, &c.

2943. Ought not all agricultural produce to be weighed, whether sold or not?—Yes; it is all to be weighed under the new Act; I think about sixteen sets of beams and scales will be sufficient to weigh all that will come into Limerick.

234. John Miles, esq.

John Miles, esq., examined.

2944. Have you any suggestion to make with regard to the system of conducting the markets?—With regard to the proposal of weighing corn with one pound weight, I think such would cause great inconvenience; if one pound is used at standing beam, a slight defect will make a great difference in a beam, and even in new beams, no two will be found exactly correct, nor weigh exactly alike. I therefore think, using a two pound weight instead of a one pound, will prevent a great many sacks of corn being sent back to the market scales, which will occur if one pound is used, and they are afterwards weighed in the market scales; I also think that market scales should be very constantly inspected. The most important thing, however, is to have some uniform system of weighing; I think one pound, however, too small for weighing large draughts of corn and other agricultural produce.

235. Robert Rogers, esq.

Robert Rogers, esq., examined.

2945. Can you give us any information, or make any suggestions concerning the management of the markets of Limerick?—I would suggest that sworn weighers should be appointed between the captains of ships and the buyers of coals and foreign corn, and I would make the sellers pay the man so employed; he should pay by the ton. The new Act provides that foreign corn should be weighed, if required, by buyer or seller; I would have it weighed or measured by sworn officers in every case, as it is the interest of the captain to make the cargo turn out as large as possible, to increase the freight.

236. Cornelius Nash, esq.

Cornelius Nash, esq., examined.

2946. What is your occupation?—I am a merchant of this city.

2947. Do you concur generally in the evidence given by the witnesses?—I do; I should be in favour of general markets, such as you describe, as I think it would afford a great public good. I deal largely in butter; I should prefer a sworn inspector to be appointed; I would, however, ship from my own stores. I prefer that a sworn inspector should inspect all butter. I would think it the best plan to allow every one to ship upon his own brand if he chose; I would leave it optional to the merchant whether he would ship upon the inspector's brand, or not. I do not think allowing the merchant to get possession of the butter, after it had been branded, would lead to many frauds; for no respectable parties would change the brands for their own sakes. I think butter ought not to be sold by lump; I would be in favour of weighing all agricultural produce with one pound weight, at standing beam, and making no other deduction than the actual weight of the empty sack; and have an assimilation of tolls and weights over the whole of Ireland. I do not see any object in allowing beamage; as if it was not allowed, the merchant would not pay so much. Some of what corn I buy is weighed in my own stores, and no charge is made for weighing or porterage there. I never buy butter by weight, only by lump. The fact is, we (the merchants) are always trying to deceive the farmer, and the farmer to deceive us. The lumping system is a very bad one: sometimes in the centre of the cask there is a quantity of pickle. I do not think that soap is put into the butter in any case, or any thing else. They put in, I believe, sometimes, anatto, to colour it.

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John Chrisby, esq., examined.

237.
John Chrisby, esq.

2948. What is your occupation?—I am an extensive farmer.

2949. You have heard the statements of the several witnesses; do you wish to add any thing to them?—I generally concur in what they stated as to establishing general markets, in which every thing should be weighed and sold. I think all agricultural produce should be weighed at standing beam, with one pound weight, and that no deduction should be made from the gross weight, except the actual weight of the empty sacks; I also think that there should be assimilation of tolls, weights, and measures, over the whole country. The mode of weighing, and the system under the new Limerick Act, will, in my opinion, injure the Limerick market, for the reasons given by a former witness, unless it is made general in every market in Ireland.

2950. Do you not think that no proprietor of a market or fair should be entitled to levy tolls unless he provides proper accommodation in return for what he receives?—I do.

2951. Would it not be a better system than the one usually adopted at fairs, to charge a smaller toll upon all cattle entering the fair, instead of a toll upon them going out?—It would. The present system, making drivers of cattle, going out of a fair, touch a piece of paper or a board to clear them, is most objectionable; and I think about half the amount of toll that is now charged upon cattle, levied upon all entering the fair, would produce as much income.

2952. How is bread sold?—It is sold by the loaf, and not by weight. It would be better to have it sold by weight; the weight ought to be the same in all cases, and the price regulated by the price and quality of flour.

238.
Thomas Scanlan, esq.

Thomas Scanlan, esq., examined.

2953. Do you wish to make any suggestion?—I wish to state that all turf brought into this town, is bought for profit by the forestaller, and is retailed on the same day. I would suggest that the boatmen should sell their own turf. There are sworn trustees at present.

239.
Robt. Aughur, esq.

Robert Aughur, esq., examined.

2954. What is your occupation?—I am the secretary of the great Munster fair which has been lately established by an Act of Parliament; we have got all the ground necessary for it in our possession. The provisions of the Act enable us to make a charge upon all cattle entering the fair. The lowest possible tolls will be charged. We can raise money on debentures. If the tolls are not sufficient to pay the interest, the county must make it up; if there is a surplus, it goes to the agricultural improvement of the county. There are about twenty-two acres taken for the fair-green; the tolls are regulated in the schedule to the Act—it reduces them from the tolls at present charged very considerably. The trustees of the great Munster fair have it in contemplation only to charge nominal tolls for the first three years. This, however, is not yet fully decided upon.

240.
Patk. Macdonnell.

Patrick MacDonnell examined.

2955. Have you any information to give with respect to the markets of this town?—Yes; I buy pork in this market; six pounds is the beamage upon each pig, no matter what size it is. This beamage used to be allowed, and given as payment to the workmen; but at present goes to the buyer.

CHARLEVILLE.
12*th November*, 1852.

Charleville, November 12, 1852.

Edward Fitzgerald examined.

241.
Edward Fitzgerald.

2956. Where do you reside?—I live in Charleville.

2957. What is your occupation?—I hold, by lease, the tolls of the fairs and markets of Charleville.

2958. When was this market established?—I do not know. The market-days are Wednesday and Saturday; the owner or patentee of the market is the Earl of Cork. I do not exactly hold by lease; I have an agreement for a lease, but it is not yet executed. I pay £42 per annum.

2959. What are the tolls charged in the fairs and markets?—I will give you a list of them. I now produce the toll-board; all the toll-boards are the same; I charge the market-tolls only upon market-days, and only charge them upon what is sold; and I have never heard any complaints of the way they are collected; I know myself nothing about the tolls charged.

2960. Has there been a weighmaster appointed?—Yes; Patrick Cronin is the weighmaster of the market.

242.
Patrick Cronin.

Patrick Cronin examined.

2961. Where do you reside?—In Charleville.

2962. What is your occupation?—I am a collector of tolls, and I am employed by Mr. Fitzgerald, the lessee of the tolls, as weighmaster of the market.

2963. Do you charge tolls only upon the market and fair days?—I charge tolls upon pigs the day before each fair; and, except in that case, I do not charge tolls upon any days except fair and market days. I charge tolls upon pigs the day before the regular fair-days only, for the convenience of the buyers and sellers.

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242.
Patrick Cronin.

2964. Are the tolls paid by the buyer or seller?—By the buyer on fair-days, and by the seller on market-days.

2965. Is there an enclosed market-place?—There is an enclosed market for pigs, and a market-house. Every thing else is sold in the street.

2966. Is there sufficient accommodation in the market?—Yes; there are two beams and scales, and a weigh-bridge. One of the scales is for corn, the other for potatoes.

2967. Is all corn sold charged toll whether weighed or not?—All corn sold in the manor is charged toll. There is no charge for weighing on market days. There is a charge for weighing potatoes on other days.

2968. Is the weighmaster sworn?—No.

2969. Is all the agricultural produce sold in the town weighed?—I cannot say that there is fully sufficient accommodation for weighing. On other than market-days I charge toll for potatoes, whether weighed or not.

2970. What is the system of weighing in the market?—I weigh with a cast of the beam, and a two pound weight; from every bag of corn, I deduct eight pounds tret or beamage; and I generally deduct from five to seven pounds for the weight of the empty sack, according to its appearance; but if required by the seller, I weigh it, and deduct only its actual weight; I return any broken pounds under seven pounds, and they are paid for by the buyer. In weighing potatoes, I weigh with a cast of the beam; potatoes are generally sold by the weight; a weight consists of twenty-one pounds; there is one pound beamage deducted; never more than one pound weight is used in weighing twenty-one pounds. The beamage is heavier on potatoes than on corn; I weigh very seldom any thing else. In corn, there is two pounds beamage on about four stone.

2971. Do you keep a book in which you enter the name of the buyer and seller, and the nature and quantity of the article sold; and does the buyer or seller receive a copy of such entries?—I give a docket to the seller which contains the date and my name. The weight is given, and I might put the amount. I could give another docket, were the first lost; but I do not keep a book such as you describe. I could give no statistics of what is sold in a year in the market.

2972. What is the weight of a stone of corn?—Fourteen pounds. We always sell corn by the stone; a stone is always fourteen pounds, and one hundred-weight is one hundred and twelve pounds. We always weigh feathers by the pound, and weigh no wool in this market. The principal produce of this part of the country is oats.

2973. How many fairs are held in this town?—Six in the year; and tolls are charged upon all cattle sold when leaving. There is no enclosed fair-green; the fairs are held in the streets.

2974. How do you ascertain whether cattle leaving the fair are sold or not?—The man at the gap asks the drivers of all cattle going out of the fair whether they have been sold or not; if they should say not, I generally let them go without further inquiry, but if I have reason to believe that they have been sold, then I bring them before a magistrate, and oblige them to make a declaration that the cattle have not been sold. I never ask them to touch a piece of paper, or any thing else, to clear the cattle at the gap of the fair.

2975. What value does the proprietor of these fairs give to the public in return for the tolls he receives?—I cannot say that he gives any.

2976. Do you ever levy toll for any thing not marked upon the toll-board?—There is a charge made for turnips, which I do not see upon the board; but in general, we do not charge the whole amount we are entitled to charge upon the various articles by the board, and in some cases, we do not make any charge upon several articles, which, by the toll-board, are liable to tolls.

2977. Are not the tolls charged upon the board Irish currency?—The tolls are in Irish currency. I collect sometimes without making any deduction for the charge from Irish to English currency. A cart-load of potatoes would pay tolls; and only on Saturday would I make a charge for hawking them about the streets afterwards.

2978. What value does the proprietor give the public in return for the tolls of the market received by him?—Only the market-house and the scales. The market-house is not let to any one, nor any part of it. I have four men employed in the market on Saturdays; on the fair days there are more employed. I charge for corn on other than market-days; but do not charge upon those days except it is weighed; the charge on those other days is for weighing; I charge toll on the market-days. I charge, as tolls upon corn, 6*d.* in the pound upon what it is sold for on market-days; on other than market-days, there is only charged 1*d.* per hundred-weight for weighing, and no charge for tolls; for instance, if a load of corn were sold upon the market-day for £5, I would receive as tolls 2*s.* 6*d.*, and for eighty stone of corn sold on other days, I would receive 10*d.* for weighing it.

2979. What is the gross amount of tolls in the year?—About £112. The poor-rate valuation for the fairs and markets is £58 10*s.*

2980. Do you charge any toll for potatoes?—I charge 4*d.* a load upon every day, which includes weighing; such is not exactly in accordance with the toll-board, which states the charge is only to be made on market-days. I could not, however, afford to keep a man to weigh the potatoes unless I was paid on their being weighed; the charge upon all the days except market-days is for weighing; I charge ½*d.* for weighing two weights of potatoes, of twenty-one pounds each; and for six, or even twelve weights, I would only charge 1*d.*; I would not charge for one weight of potatoes; potatoes are weighed with cast of beam; the scale need not touch the ground; two pounds is the lowest weight used; I deduct two pounds beamage and two pounds tret; I generally deduct five or seven pounds for the

CHARLEVILLE, 12*th November*, 1852.

242. Patrick Cronin.

weight of the empty sack; if the buyer or seller prefer it, I tare the sack, and deduct its exact weight; fifteen pounds would be the beamage for twenty stones of potatoes; I do not charge spade-handles as high as I am entitled by the toll-board; the toll-board before you is an exact copy of a very old one.

2981. Would it not be better to have the tolls really charged printed upon the toll-board, so that the collector and the person who had to pay would know what was to be paid?—I think it would be much better. Fowls pay tolls only if exposed for sale in a cart, on market or fair days.

2982. How do you charge the tolls upon pigs, which are sold from carts standing in the market?—If the tolls, or custom, of the pigs sold exceed the charge for the cart, the cart is not charged any custom. The buyer does not pay tolls upon market-days on pigs; therefore they cannot be charged, in any shape, more than one toll in one market-day; the charge for them in carts is made for the standing of the carts; I only charge for the standing of the cart, in case the pigs are not sold.

243. D. Clancy, esq. J.P.

Daniel Clancy, esq., J.P., examined.

2983. Where do you reside?—In this town.

2984. Do you concur generally in the statements of the witnesses?—I do. I am of opinion that there is no value given by the proprietor of the fairs and markets held in this town, for the tolls he receives. An enclosed fair-green ought to be provided by him; I had to shut up my windows yesterday, to avoid the stench arising from the pigs in the street, as there is no fair-green; and the fairs are therefore held in the streets of this town. The fairs being held there amounts to a positive nuisance, and the thoroughfare sometimes is wholly interrupted. No proprietor ought to be allowed to receive the tolls of a fair or market, unless he provides proper accommodation.

2985. Would you not think it better to charge a smaller toll upon all cattle entering a fair, instead of the present mode of collecting it only upon all cattle sold when leaving the fair?—I would; such is the system of collection at Cahirmee fair, in the county of Cork. I am sure the farmer would prefer it; and the proprietor could collect his tolls with less expense and annoyance.

2986. Would you be in favour of a general market, with sufficient accommodation, a sufficient and efficient staff, in which all the agricultural produce sold in the town should be sold and weighed, under the supervision of a sworn weighmaster?—I would; and I think all agricultural produce ought to be weighed at standing beam, using as low a weight as one pound; and that nothing should be deducted from the gross weight but the actual weight of the empty sack. I think an assimilation of weights and measures, and also of tolls, all over Ireland, would be a very great improvement. On potatoes here, there is a deduction of one pound to a weight, consisting of twenty one-pounds. I will send you a correct copy of the toll-board. [*The following is the list of tolls furnished by the witness*]:—

A Schedule of Tolls and Customs payable in the Town and Manor of Charleville, on Market and Fair Days, to the Right Honourable Edmond, Earl of Cork and Orrery, and Baron Boyle.

Charleville, May 1, 1852.

	Late Irish Currency. Market-days. *d.*	Fair-days. *d.*
For every horse, cow, bull or bullock, sold,	6	6
„ yearling,	4	4
„ sheep,	0½	1
„ lamb,	0½	1
„ pig,	2	3
„ slip,	1	2
„ goat,	1	2
„ calf,	0½	1
„ calf and goat skin,	0½	1
„ hide,	1	2
„ car-load of skins or hides,	4	6½
„ hamper of lemons or oranges,	1	2
„ car-load of apples,	4	6½
„ back-load, do.,	2	4
„ bag of feathers under eight pounds,	1	2
„ pack of wool,	4	6½
„ car-load of timber ware,	4	6½
„ back-load, do.,	2	4
„ car-load of spade-handles,	4	6½
„ back-load, do., under a dozen,	2	4
„ car-load of iron spades,	4	6½
„ car-load of cabbage,	4	6½
„ load of onions,	4	6½
„ car of freize,	2	10

	Late Irish Currency. Market-days. *d.*	Fair-days. *d.*
For every covered pedlar's standing,	2	10
„ small standing of every description,	1	3
„ table standing,	2	4
„ broguemaker's standing,	1	10
„ car standing,	4	6½
„ meat standing outside the shambles,	2	4
For all hatters' standings,	4	10
„ breechesmakers' standings,	4	10
For every hawker,	1	2
„ piece of flannel 6*d.* to the pound.		
For potatoes, per load, 4*d.*		

WEIGH-HOUSE FEES.

For every bag or sack, 1*d.* for 10 stone on week days.		
For every bag or sack, on market-days or fair-days, 6*d.* to the pound of money.		
For weighing lumber of all kinds,	1	1
For every quarter of any meat,	1	1
„ load of coal under ten hundred-weight,	4	4
For leather, 1*d.* to the hundred-weight.		

The above Tolls and Customs to be collected on Wednesdays, Saturdays, and Fair-days only, by Michael and Patrick Cronin.

CHARLEVILLE, 12*th November*, 1852.

243.

D. Clancy, esq. J.P.

Fairs, on the 10th January; 16th March; 12th May, and 15th August; also on the 10th October, and on the 12th November, except falling on Saturday, in which case the fair is to be held on the following Monday.

All corn bought or delivered within the Manor of Charleville, on Market or Fair days, is liable to due custom, viz., $2\frac{1}{2}$ per cent. on the sales of corn, or 6*d.* per £.

EDWARD FITZGERALD,
Clerk.

I think it would be better if all tolls could, in every instance, be vested in Commissioners, for the improvement of the market. The Earl of Cork is, I believe, the patentee of the market and fairs. I do not know the date of the patent, but know that it is a very old one.

2987. Do you not think that the amount of tolls to be charged by each proprietor of a fair or market should be regulated by Act of Parliament, which should define what are reasonable tolls?—I do, most decidedly. I must add, to what I have stated, that I believe the Earl of Cork is enclosing ground to form a market-place.

KILRUSH, 13*th November*, 1852.

KILRUSH, NOVEMBER 13, 1852.

244.

George Taylor.

George Taylor examined.

2988. Where do you reside?—In Kilrush.

2989. What is your occupation?—I am lessee of the tolls of the fairs and markets.

2990. When was the market established?—I do not know.

2991. Who is the patentee or owner of the market?—Colonel Vandeleur.

2992. What are the tolls?—[*Witness hands in the following copy of the toll-board*]:—

SCHEDULE of the TOLLS and CUSTOMS paid in the TOWN of KILRUSH.

	s.	*d.*
Every twenty stone of wheat,	0	$1\frac{1}{2}$
„ sixteen „ barley,	0	$1\frac{1}{4}$
„ „ „ beans,	0	$1\frac{1}{4}$
„ „ „ rye,	0	$1\frac{1}{4}$
„ fourteen „ oats,	0	1
„ small sack of wheat, barley, beans, rye, or oats, under 100 pounds weight,	0	$0\frac{1}{2}$
„ basket of onions or apples,	0	1
„ car-load of cabbage or other vegetables,	0	3
„ basket of cabbage or other vegetables,	0	$0\frac{1}{2}$
„ car-load of plants,	0	2
„ basket of earthenware,	0	1
„ „ fish or fruit,	0	1
„ piece of freize or woollen cloth,	0	1
„ dozen of hats,	0	1
„ raw hide,	0	1
„ large hog or pig,	0	2
„ small „	0	1

	s.	*d.*
Every crock of butter,	0	1
„ cask „	0	1
„ car-load of baskets,	0	2
„ load of hoops,	0	1
„ dozen of calf-skins,	0	1
„ single „	0	$0\frac{1}{2}$
„ kip, skin, or runner,	0	$0\frac{1}{2}$
„ dozen of stockings,	0	1
„ twenty spade trees,	0	1
„ car-load of timber ware,	0	4
„ twenty wooden cups or dishes,	0	1
„ horse-load of wattles,	0	1
„ horse, mare, or gelding,	0	6
„ bull, bullock, or dry cow,	0	4
„ milch cow, springer, or stripper,	0	6
„ two-year-old heifer,	0	3
„ yearling,	0	2
„ sheep or goat,	0	1
„ ass or mule,	0	3
„ car-load of hay,	0	2
„ standing, per day,	0	1

This list is an exact copy of the toll-board. I would bring the board only it is too large, and fastened up. I charge 1*d.* for every fourteen stone of oats, and $1\frac{1}{2}d.$ for twenty stone of wheat; the charge upon barley is $1\frac{1}{4}d.$ for sixteen stone. There are no tolls charged upon potatoes. The toll charged upon corn is collected by the merchants, and paid over to me by them, upon the following day; if they are not paid in the market by the seller I collect the tolls myself.

2993. Is there an enclosed market-place, and is all the agricultural produce sold in the town weighed in it?—I never levy the tolls unless the corn is sold. The corn sold to the merchants is never weighed in the markets; it is generally sold in the streets, and weighed at the merchants' stores.

2994. What fairs are held in this town?—Two fairs in the year, and the tolls are collected upon all cattle sold when going out of the fairs. There is a schedule of the tolls posted up at each gap; the men at the gap ask the driver whether the cattle are sold or not; if he says not, and there is reason to doubt his word, they show a piece of brown paper to the driver, and ask him to touch it to clear the cattle.

2995. Do you not think such a practice leads to perjury?—I think it does, although, in my opinion, it is not an oath, and it is never administered to intelligent people. It is not often done, but I do not think I could levy tolls without that practice being adopted.

2996. Have you any thing to do with weighing in the market?—No, I have not.

245.

Michael Brew.

Michael Brew examined.

9997. Where do you reside?—In this town; I am weighmaster of this market; I was appointed by Colonel Vandeleur, the owner of the market, and am sworn under the Statute of 4th Anne, cap. 14, sec. 3.

2998. Is there an enclosed market-place, and are there a sufficient number of beams scales, and weights provided?—The market-place is not enclosed; there is a market-house,

and two beams, scales, and sets of weights. All the corn sold in the market is not weighed in it—not one-thirtieth part, I should think; the rest is weighed in the private stores in the town. No charge is made by me on any corn, unless it is weighed by me. I will send a list of what I charge for weighing. [*The following is the list sent by witness*]:—

KILRUSH, 13th November, 1852.

245.

Michael Brew.

Weighing Fees charged by the Public Weighmaster of the Town of Kilrush.

	s.	d.
Every twenty stone of wheat, . .	0	0½
„ sixteen „ barley, . .	0	1¼
„ fourteen „ oats, . .	0	1
„ twenty „ beans, . .	0	1½
„ twenty „ rye, . .	0	1½
„ fourteen „ potatoes. .	0	1

	s.	d.
Every crock of butter weighing fifty-six pounds, . . .	0	2
„ cow-hide, . . .	0	2
„ calf-skin, . . .	0	0½
„ runner, . . .	0	1
„ kip, . . .	0	1

Michael Brew,

Weighmaster.

Kilrush, 11th January, 1853.

2999. How are you paid for acting as weighmaster?—I do not get any salary, but I get the fees for weighing; I employ two clerks, two weighmasters, and myself, and four porters.

3000. What is the system of weighing in the market?—I weigh at standing beam, two pounds is the lowest weight used. If wheat or beans weighed fourteen stone three pounds, I would deduct three pounds for beamage, and return it as fourteen stone. If twenty stone, I would take four pounds from it, and it would be then nineteen stone eleven pounds. If twenty stone nine pounds, I would return it as twenty stone five pounds. If twenty stone seven pounds, I would return it as twenty stone. If it is not the even stone, it must be returned as four pounds, seven pounds, or eleven pounds. It is weighed cock and cock.

3001. What, then, advantage is it to the farmer to have it weighed with a two pound weight?—It is an advantage; for instance, if it weighed seven pounds standing I would only deduct three pounds from it. If it was nice weight, I would not deduct less than four pounds, and would return the broken pounds as either four, seven, or eleven. Above thirty stone, I deduct seven pounds, and over forty stone, I deduct ten pounds. I deduct six pounds from fourteen stone of oats, and seven pounds from sixteen stone of barley. I tare the sack with one pound weight, or deduct seven pounds if the parties prefer it. The farmer is not paid for any broken pounds, only for the half-stone. If I returned corn as weighing twenty stone eleven pounds, he would be paid for twenty stone seven pounds.

3002. Do you give the buyer or seller a docket of the nature, weight, and price of the corn, together with the name of the buyer and seller?—I give a written docket to the seller, upon which is entered the seller's name, the gross weight of the corn, the date, name of the market, signed by me. I keep a copy of the docket, and tare the sack when it comes back. I enter what is upon the docket in a book, and could at any time tell the gross amount weighed in the market in a year, but not the price at which it was sold. The sacks always come back to be weighed. I weigh wool by the stone.

3003. What does a barrel consist of?—A barrel of wheat consists of twenty stone; of oats, fourteen stone; barley, sixteen stone; and potatoes, ninety-five stone.

3004. Does a stone always consist of fourteen pounds?—It is so in wheat, oats, and barley, but a stone of potatoes consists of sixteen pounds, instead of beamage, which is not deducted from them. The odd pounds, in both corn and potatoes are not paid for; only the stone or half-stone is paid for. On a cart-load of potatoes, if sold to one person, the farmer would lose only the odd pounds upon the weight of the whole quantity. If each sack was sold to different persons, the seller would lose the broken pound on each sack. Eight pounds are deducted from every twenty stone for tret. We weigh potatoes with a two-pound weight. The greatest quantity of corn weighed in the market in one year, I should say, is about fifteen or twenty thousand barrels.

3005. Do you know of any frauds being committed in the weighing in the merchants' stores?—Yes; I have found in every buyer's store in Kilrush frauds practised, and have exposed them to the country people. The merchants prefer weighing in their own stores; and if a farmer insists upon having his corn weighed in the market scales, the merchants will have it weighed there for him, but they will give a halfpenny a stone higher to any farmer who will have it weighed in their own stores. I knew a fraud committed at one of the merchants' stores, where three bags of corn were returned as weighing four stone and a-half less than their real weight. Some of the merchants have private marks, by which they know what is weighed in the market, and if the corn has been weighed in the market, they take care to return it at the same weight.

Referred to in the Report, p. 24, as Q. 2943.

3006. Would you be in favour of a general market, under the supervision of a sworn weighmaster, with sufficient accommodation, and a sufficient and efficient staff, in which all the agricultural produce sold in the town should be sold and weighed?—I would; it is more wanting in Kilrush than in most other towns. The clerks at the merchants' stores enter the wrong weights, and they also thumb the scales there, and in these ways get more weight than they are entitled to.

3007. Would you be in favour of an assimilation of tolls, weights, and measures over the whole country?—I would.

3008. Would you not be in favour of weighing, in all cases, at standing beam, with one

KILRUSH, 13*th November*, 1852.

245. Michael Brew.

pound weight, and that no deduction should be made from the gross weight of the corn, except the actual weight of the empty sack?—I would.

3009. How often are your weights adjusted?—Every six months; there is no inspector for this district; I adjust my own weights myself from the standard weights that belong to Colonel Vandeleur.

3010. Is there an enclosed fair-green?—No, there is not; the fairs are held in an open space, and partly in the town.

3011. Would it not be better to charge smaller tolls upon all cattle entering the fair instead of, as at present, upon those sold when leaving it?—Certainly; and the proprietor ought to be obliged to find a fair-green and proper accommodation, or not be allowed to collect tolls at the fairs or markets when they are held in the streets of a town or on public roads; I think the people might object to pay tolls going into the fair, unless the tolls were made much smaller than at present.

3012. How do you weigh turnips?—They are weighed the same as potatoes; they are weighed by the stone.

246. Daniel Gorman.

Daniel Gorman examined.

3013. Where do you reside?—In Kilrush.

3014. What is your occupation?—I buy corn for Mr. Blair.

3015. What is your system of weighing at his stores?—We weigh there upon the same system as is carried on at the public scales; we tell the farmer to have it weighed in the market scales if he wishes; we make no charge for weighing, or porterage, or any thing else; we weigh standing beam, making the same deductions as are made in the market; we deduct two pounds on light draughts of corn, and four pounds on heavy ones; we tare the sack and do not pay for odd pounds; we pay for half a stone; and we deduct the same tret as is done in the market scales; we have three sets of beams and scales in each of our stores, and we have three stores; we do not always know whether the corn brought to our stores is weighed at the market scales or not; we have no private marks for to know what has been weighed in the market scales; we get our weights adjusted twice a-year; Colonel Vandeleur gets it done.

3016. Do you not think every thing ought to be weighed in the public scales?—I think it ought.

247. Dr. Bourke.

Dr. *Bourke* examined.

3017. Would you not approve of having all agricultural produce weighed at standing beam with one pound weight, and making no other deduction from the gross weight of the corn, except the actual weight of the empty sack?—I would, and I would be in favour of the establishment of general markets such as you describe; and I also think an assimilation of tolls, weights, and measures, should be made all over Ireland: I wish further to say, that I have often heard great complaints made of the system of weighing in the market, not of the weighmaster, but of the system, which he has no power to alter; the weighmaster weighs as fairly as possible. The way small quantities of potatoes are weighed is very improper, and contrary to law: they are sold by measure in buckets; the measure is first filled with potatoes which are weighed, to know the weight it holds, and then it is used as a measure of that weight of potatoes: in weighing, corn would only be returned as sixteen stone if it weighed sixteen stone four pounds; if corn weighed fifteen stone three pounds, four pounds would be deducted for beamage, and the farmer would not be paid for the broken pounds; so that he would, in this case, lose ten pounds out of sixteen stone three pounds, while if it was one pound heavier he would only lose four pounds.

ENNIS, 15*th November*, 1852.

Ennis, November 15, 1852.

248. Thomas Crowe, esq.

Thomas Crowe, esq., examined.

3018. Where do you reside?—I live in Ennis.

3019. Under what patent or authority are the markets and fairs held in this town?—Under two patents; one granted to Donogh, Earl of Thomond, in the seventh year of the reign of James the First, giving power to hold a weekly market on every Tuesday, and two fairs in each year; the second patent was granted to the Earl of Egremont, in the reign of William the Fourth, authorizing the holding of a market on every Monday, Wednesday, Thursday, Friday, and Saturday.

3020. Then markets are held every day?—They are.

3021. Where are the fairs held?—In the streets.

3022. Is it not very objectionable, holding fairs and markets in the streets of a town?—I consider it so; and Colonel Wyndham, who is now the proprietor of the markets and fairs of this town, is most anxious to procure land within the limits of the borough to hold the fairs on, but, from the difficulty of getting a clear title, he has been unable to get any. He has expended a considerable sum in the purchase of a plot of ground and in the erection of buildings on it, in which the corn market is held. This market has been of great benefit to the community, and has afforded the greatest satisfaction to the farmers.

3023. Would you be in favour of having general markets in every town, with sufficient accommodation, a sufficient and efficient staff, and under the supervision of a sworn weighmaster, in which all agricultural produce should be sold and weighed?—I would.

ENNIS,
15th November, 1852.

248.
Thomas Crowe, esq.

3024. Would you approve of an assimilation of tolls, weights, and measures, all over Ireland?—I think it would be very desirable.

3025. Do you not think all agricultural produce ought to be weighed at standing beam, with one pound weight, and that no deduction except the actual weight of the empty sack, should be made from the gross weight of the corn?—Yes, I think it would be the fairest for all parties.

3026. Do you not think that the proprietor of fairs and markets should, in all cases, be obliged to provide proper accommodation to the public, in return for the tolls he receives?—I do; I think the proprietor of fairs and markets should provide a proper fair-green, and properly enclosed markets.

3027. Would it not be better to levy a moderate toll upon all cattle entering a fair, instead of charging the present tolls upon all cattle that are sold, when leaving it?—I think it would. A small toll would then answer. At Cootehill this is the practice; but I do not know what are the tolls charged there.

249.
Denis Curtin.

Denis Curtin examined.

3028. Where do you reside?—I live in this town.

3029. What is your occupation?—I am one of the clerks in the corn market.—[*Hands in a list of the tolls.*] All the tolls on this list are not levied. I have marked those that are not charged.

3030. Do you levy tolls upon all produce, whether it is sold or not?—No; toll only is charged if the article is sold and weighed; there is no charge made for weighing.—[*The following is the list of tolls handed in by the witness*]:—

A List of the Tolls on all Cattle, Goods, Wares, and Merchandize, payable to Colonel George Wyndham, at the several Fairs and Markets of the Town of Ennis, in the County of Clare, viz.:—

	s.	d.
Horses,	0	6½
Milch cows,	0	6
Dry cows and bullocks,	0	4
Heifers,	0	4
Year-old heifers,	0	3
Sheep,	0	1
Pigs,	0	3
Sucking pigs,	0	1
Calves,	0	1
Goats,	0	1*
Timber, per load,	0	4*
Ware, per load,	0	4*
Calf skins, per dozen,	0	3*
Broguemakers and hatters,	0	4*
Each standing,	0	6*
Milk, per load,	0	2*
Milk, per can,	0	1*
Potatoes, per horse-load,	0	1
Apples, per car-load,	0	2*
Apples, per horse-load,	0	1*
Feathers, per bag,	0	1*
Wheat, per barrel of 20 stone,	0	2
Oats, „ 14 stone,	0	1
Barley, „ 16 stone,	0	1¼
Rape, „ 16 stone,	0	2

	s.	d.
Wool, per pack,	0	5
Flour, per bag,	0	2*
Coals, kelp, or charcoal, per car-load,	0	2*
„ per horse-load,	0	1*
Each car-load of bags, serges, freizes, stockings, &c.,	0	3*
Each horse-load of ditto,	0	2*
Each horse-load of haircloth	0	1*
Every horse-load of fish,	0	2*
Every ass-load of ditto,	0	1*
Every car-load of herrings,	0	4*
Every ass-load of ditto,	0	2*
Every car-load of oysters,	0	2*
Every horse-load of ditto,	0	1*
Every firkin of butter,	0	2
Every tub, crock, or basket, of butter,	0	1
Every barrel of meal,	0	0¾*
Every car-load of paper,	0	3*
Every car-load of hay,	0	0½*
Every car-load of straw,	0	0½*
Every load of slate,	0	1*
Each green or dry hide,	0	1*
Every barrel of beer, ale, or porter, brewed out of the town of Ennis,	0	2*
Every hogshead of cider, not charged.		

3031. Is all the agricultural produce that comes into town sold and weighed in the market?—Yes.

3032. What is the system of weighing corn in this market?—We weigh down weight; the scale must touch the ground; four pounds is the smallest weight used; we deduct the actual weight of the sack in all instances. The deductions are: seven pounds beamage from twenty stone of wheat; six pounds beamage on every barrel of sixteen stone of barley: and six pounds on every fourteen stone of oats.

3033. Are the nature and quantity of all articles weighed in the market entered in books, kept by the weighmaster for that purpose; and does the buyer or seller receive a copy of such entries from the weighmaster?—Books are kept, in which all those particulars are entered, and a ticket given to the seller, containing the name of the buyer and seller, the date, the name of the market, the description of the article sold, and the weight of each bag. Government could, from the books I speak of, obtain statistics, if required, showing the amount and nature of all agricultural produce sold in the market, and the price at which it was sold. I beg to hand a return of the quantity, price, description, and amount, of all agricultural produce and cattle sold in Ennis for the last seven years. [*Witness accordingly handed in the statistics of the markets for seven years, and which are attached.*]

* Those marked thus * are not charged.

ENNIS,
15*th November*, 1852.

249.
Denis Curtin.

RETURN of the quantity of Wheat, Oats, and Barley, sold in Colonel Wyndham's Markets, with ended Sep-

YEAR ENDED	WHEAT. Barrels of 280 lbs.	Average per barrel of 280 lbs.	Average per imperial quarter of 480 lbs.	Amount paid for same.	Barrels of 196 lbs.
		£ s. d.	£ s. d.	£ s. d.	
September 1, 1845,	41,094	1 2 3¼	1 18 2¼	45,757 15 8	78,279
,, 1, 1846,	45,199	1 6 8⅜	2 5 9⅝	60,336 17 11	83,306
,, 1, 1847,	15,344	1 15 9⅝	3 1 4½	27,469 6 7	57,133
,, 1, 1848,	21,990	1 4 6⅛	2 1 3⅞	26,497 2 11	42,481
,, 1, 1849,	10,978	1 5 4⅘	2 3 6⅛	13,942 7 9	34,353
,, 1, 1850,	15,389	0 19 5⅞	1 13 4¼	14,995 15 9	34,394
,, 1, 1851,	10,722	1 1 7¼	1 17 0⅜	11,581 18 6	39,415
Total,	160,716	1 4 11 9/16	2 2 9 5/8	200,581 5 1	369,361

RETURN of the quantity of Potatoes, Butter, Wool, Hay, and Straw, sold in Colonel Wyndham's Mar-

YEAR ENDED	POTATOES. No. of tons of 20 cwt. each.	Average per cwt.	Amount paid for same.	BUTTER. Weight.	Average per cwt.	Amount paid for same.
		£ s. d.	£ s. d.	cwts. qrs. lbs.	£ s. d.	£ s. d.
September 1, 1845,	3,848	0 1 6	5,772 0 0	5,178 3 0	3 10 0	18,125 12 6
,, 1, 1846,	2,908	0 2 8	7,754 13 4	3,028 0 0	4 0 0	12,112 0 0
,, 1, 1847,	378	0 7 8	2,898 0 0	3,496 1 0	3 17 6	13,547 19 4½
,, 1, 1848,	1,228	0 7 0	8,596 0 0	5,995 2 0	3 12 0	21,583 16 0
,, 1, 1849,	1,265	0 5 10	7,379 3 4	2,333 0 0	3 0 0	6,999 0 0
,, 1, 1850,	1,834	0 3 8	6,724 13 4	2,158 3 0	2 17 6	6,206 8 1½
,, 1, 1851,	1,522	0 4 4	6,595 6 8	1,976 1 0	3 5 0	6,422 16 3
Total,	12,983	0 3 6¼	45,719 16 8	24,166 2 0	3 10 4	84,997 12 3

RETURN of the Number of Milch Cows, Dry Cows, Heifers, and Bullocks, sold in Colonel Wyndham's

YEAR ENDED	MILCH COWS. No. of MilchCows	Average price, each.	Amount paid for same.	DRY No. of Dry Cows.	Average price, each.
		£ s. d.	£ s. d.		£ s. d.
September 1, 1845,	544	16 10 0	5,712 0 0	569	6 15 0
,, 1, 1846,	401	11 5 0	4,511 5 0	324	7 10 0
,, 1, 1847,	305	9 10 0	2,897 10 0	327	6 12 6
,, 1, 1848,	325	10 0 0	3,250 0 0	802	7 15 0
,, 1, 1849,	244	8 15 0	2,135 0 0	789	7 17 6
,, 1, 1850,	306	8 5 0	2,524 10 0	477	6 5 0
,, 1, 1851,	323	8 10 0	2,745 10 0	341	6 17 6
Total,	2,448	9 14 3	23,775 15 0	3,629	7 4 4

RETURN of the Number of Yearlings, Calves, Sheep, Lambs, and Horses, sold in Colonel Wyndham's

YEAR ENDED	YEARLINGS. No. of yearlings.	Average price each.	Amount paid for same.	CALVES. No. of calves.	Average price each.	Amount paid for same.	No. of sheep.
		£ s. d.	£ s. d.		£ s. d.	£ s. d.	
September 1, 1845,	400	3 15 0	1,500 0 0	230	1 3 6	270 5 0	3,287
,, 1, 1846,	237	3 10 0	829 10 0	168	1 1 0	176 8 0	2,542
,, 1, 1847,	207	4 0 0	828 0 0	256	1 1 6	275 4 0	2,995
,, 1, 1848,	244	3 7 6	823 10 0	192	0 19 3	184 16 0	3,618
,, 1, 1849,	455	2 15 0	1,251 5 0	173	0 17 6	151 7 6	3,765
,, 1, 1850,	660	3 10 0	2,310 0 0	427	1 0 0	427 0 0	3,064
,, 1, 1851,	323	3 15 0	1,211 5 0	322	1 1 6	346 3 0	2,787
Total,	2,526	3 9 3	8,753 10 0	1,768	1 0 8	1,831 3 6	22,058

Average Price per Barrel, per Imperial Quarter, and Amount paid for same, for seven Years, ended Sept. 1, 1851.

Oats.			Barley.			
Average per barrel of 196 lbs.	Average per imperial quarter of 312 lbs.	Amount paid for same.	Barrels of 224 lbs.	Average per barrel of 224 lbs.	Average per imperial quarter of 416 lbs.	Amount paid for same.
£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
0 10 $2\frac{3}{16}$	0 16 $3\frac{1}{2}$	40,067 4 3	5,470	0 13 $3\frac{1}{16}$	1 4 $7\frac{3}{7}$	3,625 5 8
0 12 $1\frac{3}{4}$	0 19 4	50,603 17 0	7,641	0 13 $8\frac{15}{16}$	1 5 $6\frac{5}{16}$	5,251 3 1
0 17 $0\frac{1}{8}$	1 7 $1\frac{4}{15}$	48,644 0 10	3,147	0 19 5	1 16 $0\frac{5}{7}$	3,055 9 0
0 9 $9\frac{1}{8}$	0 15 7	20,799 14 3	5,839	0 12 $9\frac{3}{4}$	1 3 $9\frac{1}{4}$	3,741 6 11
0 9 $7\frac{1}{8}$	0 15 $3\frac{3}{5}$	16,510 18 4	10,024	0 12 $7\frac{1}{8}$	1 3 $4\frac{2}{3}$	6,313 7 9
0 8 $4\frac{1}{8}$	0 13 $3\frac{1}{8}$	14,355 6 9	12,124	0 9 $6\frac{7}{12}$	0 17 $8\frac{11}{14}$	5,788 16 2
0 8 $8\frac{3}{8}$	0 13 $10\frac{7}{12}$	17,179 19 0	11,632	0 11 $0\frac{3}{16}$	1 0 $5\frac{1}{3}$	6,405 9 8
0 11 $3\frac{1}{4}$	0 17 $11\frac{3}{5}$	208,161 0 5	55,877	0 12 $2\frac{13}{16}$	1 2 $8\frac{9}{14}$	34,180 18 3

kets, with Average Price of each, and Amount paid or same, for seven Years, ended Sept. 1, 1851.

Wool.			Hay.			Straw.		
No. of packs of 240 lbs. each.	Average per stone of 16 lbs.	Amount paid for same.	No. of tons.	Average per ton.	Amount paid for same.	No. of tons.	Average per ton.	Amount paid for same.
	s. d.	£ s. d.		£ s. d.	£ s. d.		£ s. d.	£ s. d.
639	19 6	9,345 7 6	129	2 14 6	351 10 6	25	1 16 8	45 16 8
736	17 3	9,522 0 0	578	2 2 0	1,213 16 0	229	1 6 10	307 4 10
414	17 9	5,511 7 6	1,178	1 19 6	2,326 11 0	193	1 1 1	203 9 1
731	9 3	5,071 6 3	1,057	1 7 8	1,462 3 8	175	0 17 1	149 9 7
612	12 $1\frac{1}{2}$	5,565 7 6	1,029	0 18 4	943 5 0	302	0 12 6	188 15 0
794	15 8	9,329 10 0	734	0 17 8	648 7 4	200	0 11 4	113 6 8
560	14 9	6,195 0 0	842	0 15 7	656 1 2	308	0 13 6	207 18 0
4,486	15 $0\frac{1}{4}$	50,539 18 9	5,547	1 7 $4\frac{10}{11}$	7,601 14 8	1,432	0 16 $11\frac{3}{4}$	1,215 19 10

Markets, with Average Price of each, and Amount paid for same, for seven Years, ended Sept. 1, 1851.

Cows.	Heifers.			Bullocks.		
Amount paid for same.	No. of Heifers.	Average price, each.	Amount paid for same.	No. of Bullocks.	Average price, each.	Amount paid for same.
£ s. d.		£ s. d.	£ s. d.		£ s. d.	£ s. d.
3,840 15 0	483	9 2 6	4,407 7 6	233	7 15 0	1,805 15 0
2,430 0 0	295	9 15 0	2,876 5 0	81	8 2 6	658 2 6
2,166 7 6	288	8 17 6	2,556 0 0	96	7 17 6	756 0 0
6,215 10 0	300	9 15 0	2,925 0 0	28	8 5 0	231 0 0
6,213 7 6	419	8 7 6	3,509 2 6	77	7 7 6	567 17 6
2,981 5 0	593	7 2 6	4,225 2 6	40	6 17 6	275 0 0
2,344 7 6	299	7 10 0	2,242 10 0	13	7 2 6	92 12 6
26,191 12 6	2,677	8 9 10	22,741 7 6	568	7 14 5	4,386 7 6

Markets, with Average Price of each, and Amount paid for same, for seven Years, ended Sept. 1, 1851.

Sheep.		Lambs.			Horses.		
Average price each.	Amount paid for same.	No. of lambs.	Average price each.	Amount paid for same.	No. of horses.	Average price each.	Amount paid for same.
£ s. d.	£ s. d.		£ s. d.	£ s. d.		£ s. d.	£ s. d.
1 11 0	5,094 17 0	510	0 15 6	395 5 0	6	8 0 0	48 0 0
1 12 6	4,130 15 0	432	0 14 9	318 12 0	25	7 15 0	193 15 0
1 8 9	4,305 6 3	557	0 13 0	362 1 0	18	9 0 0	162 0 0
1 3 6	4,251 3 0	421	0 10 6	221 0 6	11	8 10 0	93 10 0
1 2 9	4,282 13 9	613	0 10 3	314 3 3	19	9 5 0	175 15 0
1 11 6	4,825 16 0	228	0 14 6	165 6 0	13	10 0 0	130 0 0
1 14 0	4,737 18 0	374	0 17 3	322 11 6	14	10 10 0	147 0 0
1 8 8	31,628 9 0	3,135	0 13 4	2,098 19 3	106	8 19 3	950 0 0

ENNIS,
15th November, 1852.

249.
Denis Curtin.

RETURN of the Number of Bacon Pigs, Store Pigs, and Sucking Pigs, sold in Colonel Wyndham's Markets, with Average Price per Cwt. for Bacon, Average Price each for Store and Sucking Pigs, with Amount paid for same, for seven Year, ended September 1, 1851.

YEAR ENDED	BACON PIGS.				STORE PIGS.			SUCKING PIGS.		
	No. of Bacon Pigs.	Weight.	Average Price per cwt.	Amount paid for same.	No. of Store Pigs.	Average Price each.	Amount paid for same.	No. of sucking Pigs.	Average Price each.	Amount paid for same.
		cwts. qrs.	£ s. d.	£ s. d.		£ s. d.	£ s. d.		£ s. d.	£ s. d.
September 1, 1845,	4,504	7,882 0	1 11 9	12,151 13 6	589	1 13 0	971 17 0	2,665	0 11 0	1,465 15 0
" 1, 1846,	3,298	5,771 2	1 17 6	10,821 6 3	364	2 2 6	773 10 0	1,869	0 12 4	1,152 11 0
" 1, 1847,	1,758	3,076 2	1 16 3	5,576 3 1½	158	2 1 0	323 18 0	710	0 7 6	266 5 0
" 1, 1848,	1,531	2,697 1	2 3 0	5,760 7 9	439	2 8 3	1,059 1 9	611	0 8 4	254 11 8
" 1, 1849,	970	1,697 2	2 1 9	3,543 10 7½	284	2 5 6	646 2 0	928	0 9 3	425 4 0
" 1, 1850,	1,288	2,254 0	2 0 0	4,508 0 0	201	2 3 4	435 10 0	1,500	0 10 6	787 10 0
" 1, 1851,	1,357	2,374 3	2 2 6	5,046 6 10½	302	2 7 4	713 9 6	1,472	0 7 9	570 8 0
Total, . .	14,706	25,753 2	1 18 6⅜	47,407 8 1½	2,337	2 4 7⅜	4,923 8 3	9,755	0 9 9½	4,922 4 8

TOTAL AMOUNT of Corn, Potatoes, Butter, Wool, Hay, Straw, Pigs, Cattle, Sheep, Lambs, and Horses, sold in Colonel Wyndham's Markets, for seven Years, ended September 1, 1851.

	£	s.	d.		£	s.	d.
Wheat, ...	200,581	5	1	Milch cows, . . .	23,775	15	0
Oats, ...	208,161	0	5	Dry cows, . . .	26,191	12	6
Barley, ...	34,180	18	3	Heifers, . . .	22,741	7	6
Potatoes, ...	45,719	16	8	Yearlings, . . .	8,753	10	0
Butter, ...	84,997	12	3	Bullocks, . . .	4,386	7	6
Wool, ...	50,539	18	9	Calves, ...	1,831	3	6
Hay, ...	7,601	14	8	Sheep, ...	31,628	9	0
Straw, ...	1,215	19	10	Lambs, ...	2,098	19	3
Bacon pigs, . . .	47,407	8	1½	Horses, ...	950	0	0
Store pigs, . . .	4,923	8	3				
Sucking pigs, . . .	4,922	4	8		812,608	11	2½

3034. What is the amount of accommodation afforded by Colonel Wyndham, for the market tolls he receives upon corn?—There is an enclosed market-place; there are six beams and scales in the corn market, six clerks, six assistant weighmasters, and twelve porters; there is no charge made for porterage. There is also a weigh-bridge provided by Colonel Wyndham, on which hay and straw are weighed; there are no tolls charged for either. All the hay and straw sold in the town is weighed at the weigh-bridge.

3035. How are tolls collected at the fairs?—There are two men at each gap; one man puts down the description, price, and number, of cattle, &c., sold in a book, and the other receives the toll.

3036. Have you heard of any charge made at the merchants' stores for weighing or porterage?—No, I never did. If the sacks are not tared in the market, they are tared in the merchants' stores. The ticket is issued in the market without the weight of the sack upon it. In potatoes we make no deduction; but weigh at the rate of sixteen pounds to the stone. Butter is weighed at standing beam, with one pound weight; we deduct eight pounds beamage for each hundred-weight. Wool is weighed standing beam; one pound is the smallest weight used; and four pounds beamage are deducted on every pack, and also the actual weight of the empty pack, with eight pounds tret on every twenty stone. It takes about two pounds, in large draughts of corn, to bring the scales from standing beam down to the ground—they are about eighteen inches from the ground. A stone consists of fourteen pounds, except in potatoes and wool, which consists of sixteen pounds; a hundred-weight is always 112 pounds.

3037. Is there an inspector of weights and measures for the county or district?—There is an inspector of weights and measures for the county, but he does not act, not being paid by the Grand Jury; we adjust the market-weights and beams every six weeks.

3038. Do you not think that all agricultural produce ought to be weighed at standing beam, with one pound weight, abolishing all deductions, unless the actual weight of the empty sack?—I think such would be very desirable, and the buyer could not object; the farmer does not now get a greater price on account of the deduction made.

3039. How do you charge tolls at the fairs?—We charge them upon cattle, if they are sold, when going out; we ask their driver if they are sold, and if he says they are not, we take his word, and do not require him to clear them by touching a piece of paper or any thing else; I think that under the present system a great portion of the cattle sold do not pay tolls.

3040. Would you be in favour of general markets all over the country, such as I described to Mr. Crowe?—I would.

3041. What value is given by the proprietor for the market-tolls he receives upon butter, potatoes, and pigs?—The only value given is, the protection the farmer has in having his produce honestly weighed; the markets, except the corn market, are held in the streets, and not in any enclosed market-place; they ought to be all held in one enclosed place.

3042. Are the tolls paid by the buyer or seller?—By the buyers of cattle in both fairs and markets, and by the seller on agricultural produce.

3043. Are potatoes weighed in the market?—They are; and we give a docket of the weight to the buyer and seller. I beg to state, that the books in which we enter the amounts received for the tolls at the fair, only show what is sold, not what is brought into the fair.

3044. Would you be in favour of an assimilation of weights, measures, and tolls, over the whole country?—I would; weighing by one uniform mode, such as the ton, hundred-weight, quarter, and pound, would be of the greatest advantage; at present, from the diversity of weights in barrels, and the deductions made, unless you are perfectly acquainted with the usages of the market, you cannot tell the exact value of agricultural produce. 249. Denis Curtin.

James Hely, esq., examined. 250. James Hely, esq.

3045. Where do you reside?—I live near Ennis, and buy and sell in this market.

3046. Do you concur in the statements of the witnesses, or have you any suggestions to offer?—I concur generally in the statements of the witnesses; I would be in favour of general markets, such as you described to Mr. Crowe, and would have all corn weighed at standing beam, with one pound weight, and make no deductions from the gross weight of the corn, except the actual weight of the empty sack. I think there ought to be an assimilation of tolls, weights, and measures, over the whole country; I think if a moderate toll were also charged upon all cattle going into the fair, instead of upon those that are sold when leaving it, such would be a great improvement. I also agree with former witnesses, that the proprietors of markets and fairs should provide proper accommodation to the public, in return for the tolls they receive, and, unless they do so, they should not be entitled to receive any tolls; I should say, that half the amount of tolls charged upon each of the cattle entering the fairs, would produce as large a revenue to the proprietors of fairs, as the present system. About three Irish acres would be required for the fairs and markets, and the limits of the market should be extended, and power should be given to Colonel Wyndham to levy tolls out of the borough, beyond his present limits. I must also say, that I think an inspector of butter is much required here; all butter should be inspected and sold by weight; a great quantity now goes to Limerick; a great deal of it is sold by lump, which is a very objectionable way of selling it, and is much complained of. All butter should be weighed and inspected before sold. There are great frauds practised by the present system; the merchant tries to rob us, and we try to rob the merchant. Firkins are never weighed in this market; crocks of butter are sometimes weighed, but very seldom. All the markets, except the corn market, are held in the street.

James Rob, esq.—I concur in all the statements and suggestions of Mr. Hely. 251. James Rob, esq.

Timothy Cullinan, examined. 252 Timothy Cullinan.

3047. Where do you reside?—In this town.

3048. Have you any statements to make, or suggestions to offer?—I quite agree with the former witnesses, that the present system of collecting tolls going out of fairs is very objectionable. The general system of administering a sort of oath to clear cattle going out of the fair is not practised here, but is so in other fairs; but for the oath, I think, a great number would not pay. I also agree in thinking proper accommodation should be provided by the proprietors of markets and fairs, in return for the tolls received; that there should be general markets established, such as you described to Mr. Crowe, and that there should be an assimilation of tolls, weights, and measures, over the whole country. The butter in this market is generally sold by lump; and the consequence is, a great deal of it goes to Limerick, where it is properly inspected and qualified. We who make good butter cannot get a fair price for it here; a sworn inspector of butter should be appointed. The Limerick brand may be altered, and frauds practised by that means, but the farmer would receive a fair price for his butter. I am strongly in favour of weighing all agricultural produce with one pound, at standing beam, and making no other deduction from the gross weight, but the actual weight of the empty sack. I think the best mode of selling all over Ireland would be by the stone; you could then know, without any trouble, the price of agricultural produce all over the country. The market in this town is exceedingly well conducted and managed; the want of additional markets is the only thing to be complained of; and the mode of conducting the markets has been vastly improved for the last eleven years. All corn should be weighed in the market scales everywhere. If a small toll were to be levied upon all cattle entering fairs, it ought to be charged according to their age. Pork is not weighed in this market; the accommodation in the butter market is quite insufficient—it would require a statute acre. The whole of the markets should be quite close to each other, as a farmer coming into the town often brings various articles for sale on the same day.

William Kenny examined. 253. William Kenny.

3049. Have you any statement to make?—I concur in what Mr. Hely has said. I also think it would be a great advantage, if it could be settled that neighbouring fairs should not fall upon the same day as they now do. Every body, no matter how poor, could, I think, pay a small toll upon their cattle entering the fair. I think a good sworn inspector of butter should be appointed in the butter market.

John Moroney examined. 254. John Moroney.

3050. Do you wish to say any thing upon the markets?—Yes; I have to complain that great plundering of potatoes goes on at the potato market, in consequence of its not being enclosed.

ENNIS,
15*th November*, 1852.

J. B. Knox, esq., examined.

255
J. B. Knox, esq.

3051. Do you concur in the evidence of the witnesses examined?—I concur generally with their evidence. I am quite of opinion that all corn should be weighed at standing beam, with one pound, and that the actual weight of the sack should be the only deduction made from the gross weight of the corn. The farmer does not get the value of his corn under the system of making the present deductions and allowances. No fair ought to be allowed to be held in a town; a proper fair-green should be given by the proprietor, or he should not be allowed to receive any tolls from the fairs. The market accommodation in this town is quite insufficient, except the corn market. Before Colonel Wyndham got the markets, great plunder went on in all the markets, for want of being held in an enclosed place. In the potato market it is necessary for a farmer to have three watches and one seller to each load of potatoes, to prevent their being stolen. Land for the markets could be easily obtained, and tolls charged, under a new Act of Parliament, by which powers to take land, similar to the railway powers, could be given. Such an act would be useful, on account of intermediate interests that might have to be purchased. The inspector of weights and measures for this county was allowed only 1*s.* salary by the Grand Jury of the county, and therefore the inspection of weights and measures in the town is neglected, and which is a serious loss to the public.

256.
John Cullinan.

John Cullinan examined.

3052. Do you wish to make any suggestion?—I wish to say, that I think badges ought to be put upon all the porters employed in the corn and other markets, so that every person could know whether a man belongs to the market or not, as persons not belonging to the market sometimes demand money from the farmers, pretending that they are the porters of the market; and if they could be distinguished by a badge, as I propose, this could not occur.

257.
William Kean.

William Kean examined.

3053. What is your occupation?—I am Clerk of the Peace for this county. I quite concur in the various statements and suggestions given by the witnesses.

258.
Thomas O'Connor.

Thomas O'Connor examined.

3054. What is your occupation?—I am a stone-mason; I wish to observe, that forestalling goes on to a very great extent here; that milk coming into the town is met by the forestallers, and bought up by them; 1*d.* worth of milk cannot be bought by a poor man, unless from the forestallers. Forestalling causes a great increase in the price to the poor man. It is bought up in the town by the forestallers, as well as before it comes into the town. The milkwoman, going about the town to sell milk, has a large quart for buying, and a small one for selling it, besides all the water she puts into it. A market jury ought to be established of the respectable merchants. It would be no use to appoint any of the common people, as they would take bribes. The inspection of weights and measures here is not carried out as it ought.

TARBERT,
16*th November*, 1852.

Tarbert, November 16, 1852.

Robert Leslie, esq., examined.

259.
Robert Leslie, esq.

3055. Who is the owner, or patentee, of this market and fair?—I am the owner and patentee of the fairs and markets held in this town. I do not know the date of the patent, as I never saw it, but believe it was about 1645. Under the patent I am entitled to collect tolls, but never do so.

3056. Is there an enclosed market-place, and are there a sufficient number of beams, scales, and weights provided?—There is no enclosed market-place or market-house; there is one beam and scales in the street, kept for the use of the town. There are no tolls charged, except at the fairs.

3057. Is there a sworn weighmaster; and is all the corn sold in the town weighed in the market?—There is a weighmaster employed by me, but he is not sworn. There is no corn weighed at the market scales; it is all weighed in the stores of Mr. Russell and Mr. Spaight, who are the only merchants who have stores in this town.

3058. How many fairs are held in the year?—Four. A fair is held, viz., upon the 12th of April, the 22nd of June, the 12th August, and the 11th of December, in each year.

3059. Are tolls paid going out of the fair?—Yes; they are paid by the buyer upon the cattle bought by him. The drivers of cattle, going out of the fair, are asked by the men at the gaps if the cattle are sold; and if they say they are not, the collector asks them to say, on their soul, the cattle have not been sold, and do not require them to clear them in any other way.

3060. Is there any fair-green?—No, there is not; the fairs are held in the street, which is quite large enough for them, and was made wide with a view to accommodate the fair. The tolls collected are so trifling that they would not be worth providing a fair-green for. The collector of tolls is my steward. The tolls of the fair do not exceed £4, by Griffith's valuation. Vegetables, such as turnips, are almost the only articles weighed in the market. Tolls are not charged in the market, but there is a charge for weighing. The weighmaster keeps the amount he receives for weighing, as he has no salary.

3061. Is there any charge made for weighing at the merchants' stores?—No; there is no charge made there for weighing or porterage. There is a good deal of corn sold at the merchants' stores, and I never heard any complaints of the weighing there.

TARBERT,
16th November, 1852.

John Callaghan examined.

260.
John Callaghan.

3062. Where do you reside?—In Tarbert. I am the weighmaster here of the market; I weigh for Mr. Leslie. I never weighed any corn in the market scales.

3063. What are your charges for weighing?—I charge ¼*d.* a stone for potatoes; very little comes to be weighed. Turnips are chiefly what I weigh, and I charge 1*d.* a hundred-weight for weighing them. I would weigh fifteen stone for 2*d.* or 3*d.* I do very little weighing of any kind.

3064. Do you keep a book, and give a docket to the buyer or seller?—No, I do not; however, if the seller asked for a docket, I would give it to him. I generally chalk the weight of the draught upon the scales.

3065. What is the system of weighing in the market?—We weigh potatoes down weight. Seven pound is the smallest weight used. I would throw out seven pounds, at standing beam, in large draughts. The farmer might thus lose seven pounds of potatoes. I make a deduction for beamage in large draughts, but have no fixed scale for calculating it. The whole receipts for weighing do not exceed £5 a year.

3066. Do you not think every proprietor receiving tolls from a fair should provide a fair-green?—Yes, if the tolls were worth it. The whole receipts at the last fair held here were about £18. This is the toll-board we use at the fairs.—[*Witness produced a toll-board, of which the following is a copy.*]

Rate of Customs paid at Tarbert Fair.

	d.		*d.*
Cows, ...	6	Standings, ...	4
Sheep, ...	1	Tents, ...	8
Pigs, ...	3	Tables and cars, ...	4
Slips, ...	1		

3067. Have you any toll-board for the market?—No, there is no toll-board for the market.

Daniel Fitzgibbon examined.

261.
Daniel Fitzgibbon.

3068. What is your occupation?—I manage for Mr. Russell in his stores in this town. I buy for him about 10,000 barrels of corn in the year, which is brought to his stores and weighed there. We charge, for porterage, 1*d.* per hundred-weight. Four pound is the smallest weight used, and we weigh down weight; that is, the beam must have a cast. We deduct seven pounds, beamage, in a barrel of wheat, and six pounds, beamage, in a barrel of oats and barley, and we always tare the sack. We buy by the stone. A barrel of wheat, here, weighs twenty stone; a barrel of oats, fourteen stone; and a barrel of barley, sixteen stone A stone-weight always consists of fourteen pounds, and a hundred-weight is always 112 pounds.

3069. Do you ever hear the farmers complain of weighing in the private stores?—No; the system of weighing in Mr. Spaight's stores is the same as in ours; we give a ticket to the seller, upon which the deduction is calculated.

3070. What quantity of corn do you suppose is sold in this town in a year?—About 35,000 barrels is sold at the two stores.

3071. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster, in which all the agricultural produce brought into the town should be sold and weighed?—I would not object to it.

3072. Would you not be in favour of weighing all agricultural produce at standing beam, with one pound weight, and making no other deduction from the gross weight, except the actual weight of the empty sack?—I would; the price could be regulated accordingly, and it would be an advantage to the farmer.

3073. Would you be in favour of assimilation of tolls, weights, and measures, over the whole country?—I would.

3074. Do you pay for the broken pounds in a draught of corn?—No; we do not.

Thomas George Hill examined.

232.
Thomas George Hill.

3075. What is your occupation?—I am in the employment of Mr. Spaight, and buy corn for him in this market; the whole of what we buy in the market is weighed at Mr. Spaight's store.

3076. What is the system of weighing at Mr. Spaight's store?—We make the same deductions as are made at Limerick; we weigh down weight in the same manner, making the same deductions as are made in Mr. Russell's stores; we do not pay for the broken pounds.

3077. What quantity of corn do you buy in the year?—We buy about 25,000 barrels. In this year, up to the present time, we have bought about 10,000 barrels.

3078. How many barrels do you think are purchased in this market?—I do not think there are more than 35,000 altogether; Mr. Russell and Mr. Spaight are the only buyers.

3079. Would you be in favour of a general market such as I described to the last witness?—I decidedly should; the honest merchant could not object, and it would give more confidence to the farmer; and it would be a very great matter to get a faithful man at the public scales. I would, also, be in favour of an assimilation of tolls, weights, and measures all over the country; such a system would be wished for by every respectable merchant, and also, the system you propose of weighing at standing beam, with one pound weight,

TARBERT, 16th November, 1852.

262.
Thomas George Hill.

and making no other deduction than the actual weight of the empty sack; such would be the same thing to the merchant, and would have the effect of giving confidence to the farmer; it would save him much computation, and he would get the full value of his corn. There is one thing, however, that I must mention, that after it is weighed in the public scales, some of the corn may be stolen out of the cart, and therefore, the merchant will have to weigh it again when it reaches his store. There ought to be a market-day fixed, when the merchant would come to buy, and the farmer to sell.

263.
William Sandes, esq.

William Sandes, esq., examined.

3080. Where do you reside?—Near Tarbert.

3081. Have you any suggestions to offer?—I think more fairs ought to be established in the year; there is no fair between the 12th of August and December; I would have five fairs held in the year, instead of the four now held; at the same time, I do not think there would be sufficient stock for monthly fairs; there is a fair held in January, which is not in the patent; I would have this fair held, and five others, the two fairs in addition to the four held under the patent, would be, one to be held on the 1st of October, and the one now held in January.

3082. Would you approve of the establishment of a general market such as I described to the first witness?—I would; the scales in the private stores here, are, I believe, as correct as possible, but still I think, weighing in the public scales is much preferable, as confidence between buyer and seller would thus be better established.

3083. Is there much butter sold in this market?—There is some butter sold here; but it is always sold by lump, and none by weight.

BALLYLONGFORD 16th November, 1852.

Ballylongford, November 16, 1852.

264.
George Hewson, esq.

George Hewson, esq., examined.

3084. Where do you reside?—Near this town: I am the agent of St. John Thomas Blacker, the owner of this town.

3085. Under what patent or authority is this market held?—Under a patent got within the last eight months this market is established, and under the same patent a fortnightly fair has also been established; but I do not think a fair is required so often as once a fortnight: Mr. St. John Thomas Blacker is the patentee of these fairs and markets.

3086. How often is the market held, and what are the market-days?—The corn market is held every day, the butter market every Friday.

3087. Are there any tolls levied?—No; there are no tolls whatsoever levied at either the fairs or markets.

3088. Is there a sworn weighmaster appointed, and are there a sufficient number of beams, scales, and weights in the market?—There is a sworn weighmaster, and there are, I think, a sufficient number of beams, weights, and scales in the market.

3089. Is there an enclosed market-place, and is the sale of all agricultural produce confined to it?—There is no enclosed market-place, nor fair-green; both markets and fairs are held in the streets. Mr. Blacker requested I would give the Commissioners this letter, which embodies his views on the matter, and regretted extremely that he was unable to attend the inquiry this day. [*Witness handed in a letter of which the following is a copy*]:—

Sackville-street Club, Dublin,
November 15, 1852.

Sir,—I regret that I am unable to be present at your investigation, on the 16th inst., at Ballylongford market. The market has been only lately established—the patent being granted in June last; a considerable corn market has always existed there, and in asking for a patent, it was in consequence of the many complaints made to me of the unfair weights; such complaints were made to me both by the farmers and also by the more respectable class of merchants, as a respectable merchant could not come into the market and give as high a price per stone, weighing fairly, as a dealer, who was less scrupulous about weights. During the last four years I have been endeavouring to get the farmers to come into the public scale, and have continued keeping the public scale open, although at some loss to myself, in consequence of its not being made a general practice of the farmers to come in and have their corn weighed, which is very much in consequence of the buyers preferring weighing in their own scales; I believe that the taking out of the patent, and having the market legalized, has been the means of having some more corn than usual weighed in the public scale.

But until it is compulsory to a farmer to go to the public scale to weigh, before selling to a merchant, the whole transaction may be liable to abuse; I would suggest this mode, in order to prevent any possible collision between the weighmaster and any one merchant. In the establishment of a butter market at Ballylongford this year I was enabled to have that carried out, and seemed to work well, although but few buyers attended, this being the first season.

The butter, when brought into the market, was at once brought to the public scale and

weighed, free of any charge, and the weight marked on the firkin when it was exposed for sale. In Listowel, and other butter markets in that district, the butter has not been weighed, but sold by lump.

264. George Hewson, esq.

I have the honour to be, Sir, your obedient servant,

St. John T. Blacker.

To the Commissioner of Fairs and Markets.

3090. Is butter sold by weight or lump in this market?—It is at present sold by weight; it used to be sold by lump, and is at present sold by lump at Listowel and the other neighbouring towns; the butter market was established here only this year; I consider the selling by lump is a bad system; Mr. Blacker pays a man here to inspect and weigh the butter sold in this town; it is all now weighed in the market.

3091. Is there any deduction made on butter sold and weighed in this market?—No; there is not any deduction for beamage or any thing else; the present system I consider unobjectionable; it is so well inspected that the market-brand of this market stands higher in London than that of almost any other town in the south of Ireland; as a proof of this, butter marked first in this market sells in London for 90*s.*, when first quality of Limerick branded butter will only bring 78*s.* there; the only deduction ever made in weighing butter here is the actual tare of the cask.

3092. How many firkins are sold in the week in this market?—About fifty or sixty; but I have known 200 sold in one day; at first the Limerick dealers would not buy, as it was sold by weight.

3093. Is there a fair-green?—No; the fairs here are held in the public street.

3094. Do you not think that the proprietor of a fair should provide a fair-green to accommodate the public?—I do; as I think a fair-green would be more convenient than the street for holding a fair.

3095. Can you give any information as to the proportion of cattle sold and unsold in the fairs?—I cannot; with regard to the corn sold to the merchants in the stores, I wish to add that premiums are often given by them to the carmen, to induce them to bring the corn they have for sale into that particular store, a practice which I think is very objectionable. A carman told me he sold a load of barley, and got 2*s.* for himself. I have heard that Mr. Blair represented to Mr. Blacker, that it was difficult to purchase here, on account of the frauds practised, and in consequence Mr. Blacker had the present market established; I think it would be very desirable to charge a smaller toll upon all cattle entering fairs, instead of charging the usual one upon those only that are sold leaving it.

3096. Do you not think that all corn should be weighed at standing beam with one pound weight, and that no deduction should be made from the gross weight of the corn, but the actual weight of the empty sack?—I do; I think the present system of deducting beamage upon all corn coming into the market, is a premium upon bringing it in dirty, as the same deduction will be made, however clean it may be brought in. I knew a case where a party sent in corn well cleaned, and only got the price of dirty, being charged the full amount of beamage, and he every time after sent it in dirty, and got the same price for it.

John Dolan examined.

265. John Dolan.

3097. Where do you reside and what is your occupation?—I live in Ballylongford, and am sworn weighmaster of this market; I do not get any salary for acting as such; I am assistant clerk to Mr. Hewson, the agent of the property, and account to him for all I receive.

3098. Is all agricultural produce sold in this town, weighed in the market scales?—No; a large portion of it is weighed in the merchants' stores, there is one set of beams, scales, and weights in the market, which are sufficient for the quantity of corn at present brought to be weighed in them, but would not be sufficient if all the corn bought in the town were weighed in the market.

3099. What are your charges for weighing corn?—I charge $\frac{1}{2}d.$ for weighing draughts of corn under twenty stone, and 1*d* for twenty stone and upwards; I never charge more than 1*d.* for weighing any draught of corn. I have been appointed weighmaster only about a fortnight ago. There is no other charge made upon any article weighed in the market. There is no charge for butter.

3100. What is the system of weighing in the market?—I weigh down weight; four pounds is the smallest weight used, it is four pounds or nothing. I do not make up the deductions upon the ticket, given at the time of weighing. It only shows the gross weight of the corn; I deduct the actual weight of the empty sack, when it returns from the merchants' stores. The deductions made in the merchants' stores for beamage are seven pounds upon twenty stone of wheat, seven pounds upon sixteen stone of barley, and seven pounds on oats.

3101. Do you keep a book, in which you enter the nature and quantity of all articles weighed in the market, and does the buyer or seller receive a copy of such entries from you?—I keep a book, in which I only enter the gross weight of the corn. I could not give Government a return of the statistics of the market, as I do not even enter the price. I give a docket to the seller, upon which I enter the name of the seller, and the gross weight of the corn. I keep the docket until the sacks return from the merchants' stores, when I deduct the actual weight of the sacks from the gross weight of the corn, and enter it upon the ticket. If the ticket I give were lost, I could not give a duplicate. I never make up the ticket deducting beamage. I now produce the book in which the gross weight is entered by me. All corn is sold by the stone or barrel.

BALLYLONGFORD
16th November, 1852.

265.
John Dolan.

3102. What is your system of weighing potatoes?—I weigh down weight, sixteen pounds to the stone; the scale must touch the ground. The smallest weight used in weighing potatoes, is four pounds; a seller weighing would not lose four pounds. I weigh to the pound—for instance, six stone eleven pounds, would be six stone ten pounds; one pound would be deducted on a draught. If a load of potatoes was weighed I would call out the odd pounds. There is no beamage deducted, but each stone is calculated at sixteen pounds instead of beamage. Potatoes are usually sold by the stone. In weighing butter we weigh standing beam, with one pound, and make no deductions. The cooper marks the weight of the cask before it is filled with butter.

3103. Is there an inspector of butter appointed?—There is.

3104. Is butter sold by weight or lump?—It is generally sold by weight; I make no charge for weighing butter.

3105. Does a stone weight always consist of fourteen pounds?—It does; except in the case of potatoes and wool; but no wool is ever weighed by me.

3106. Does a hundred-weight always consist of 112 pounds?— It does.

3107. What proportion of the corn sold in the town is weighed by you?—About a quarter.

3108. How many men are employed by you in the market?—There are two men at the scales, and two weighmasters. I make no charge in large draughts at all in the market, except 1*d.* for every twenty stone of corn weighed in the public scales; the beamage is always deducted in the merchants' stores.

266.
Patrick Boland.

Patrick Boland examined.

3109. Where do you reside, and what is your occupation?—I reside in this town, and buy corn for a Scotch house, for Mr. Blair, of Kilrush.

3110. Do you weigh the corn you purchase at your stores, or at the public market?—I generally weigh it at the stores; but if the seller wishes it, he can weigh it in the public scales. I charge nothing at the stores for weighing.

3111. What is your system of weighing at Mr. Blair's stores?—We weigh corn down weight; four pound is the lowest weight used; the scale must touch the ground; we deduct seven pounds beamage on a barrel of wheat, and six pounds on a barrel of oats; we always tare the empty sack, and deduct its actual weight from the gross weight of the corn; we make no other deduction of any kind; we do not pay for the odd pounds above the half stone.

3112. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster, in which all the agricultural produce sold in the town, should be sold and weighed?—I would; but the merchant might lose by it, as some of the corn might be plundered and stolen after leaving the market, but of course he could weigh it afterwards; and, therefore, I would not object to its being sold and weighed in the market; at the same time I must say, that the people are well satisfied to weigh at my stores.

3113. Would you be in favour of an assimilation of tolls, weights, and measures, over the whole country?—I would; I think it would be much the best way to sell corn always by the stone and hundred-weight; as at present it would be impossible to tell by the market-notes the price of corn in the different markets of Ireland.

3114. Would you be in favour of weighing all agricultural produce at standing beam, with one pound weight, and making no other deduction from the gross weight of the corn, except the actual weight of the empty sack?—I would. The objection might lie, that the farmer might bring in damaged corn; but even under the present system if the corn is damaged, and not equal to the sample, in addition to the beamage, we cut it and make a deduction from the price. I think the system of weighing you speak of ought to be established all over the country.

3115. What quantity of corn do you buy in a week?—About 1,000 barrels of oats some weeks. There are about 2,000 barrels altogether sometimes sold in this market in a week.

3116. Have you ever heard any complaints of the weighing in the merchants' stores?—Never; although I must confess that the system of weighing in private affords facilities for frauds.

TRALEE.
17th November, 1852.

Tralee, November 17, 1852.

267.
N. Donovan, esq.

Nicholas Donovan, esq., examined.

3117. Where do you reside?—In this town; I am a merchant, and one of the trustees and directors of the public market held here.

3118. Under what patent or authority is this market held?—The present markets were established under the provisions of the Joint Stock Companies Act, passed in the 7th and 8th year of her present Majesty. Under the provisions of this act, a number of persons joined together, under the name of the Incorporated Merchants of Tralee, and established the present market-place, and erected sheds, beams, scales, and other accommodation necessary for carrying on the market. The stock of the Company was divided into shares of £20 each, and no shareholder was, by the deed of settlement, allowed to take more than five shares. The Company was to be composed of two-thirds landed proprietors and persons interested in the town, and one-third merchants. The object of the undertaking was, that the merchants could have public scales to weigh in, and each shareholder was limited to five shares in order to put beyond question that they did not join the Company

TRALEE, 17th November, 1852.

267. N. Donovan, esq.

for the purpose of speculation. Before that there was no public market given by the patentee of the market. Tolls and customs were, notwithstanding, levied in the public streets by Sir Edward Denny, the lord of the soil and the patentee of the fairs and markets; and tolls were also levied on Tuesdays by the Corporation. The Corporation have a right to hold one fair, and Sir Edward Denny three fairs, in which tolls are levied. I do not know whether Sir Edward Denny had a patent or not. Tolls are still levied by both these parties. The tolls are charged and paid whether the articles are sold or not; they are levied within our market-place on their respective market-days by each of these parties, and no value or return given by either for the tolls they receive. There was some time ago a collision between the trustees of the market and Mr. William Denny, who then established a fair-green, where the fairs are now held. This fair-green was given only about four months ago, and three fairs have, up to the present time, been held in it. By a compromise with Mr. Denny, the Town Commissioners, in whom the fairs are vested since the Municipal Corporation Act, have the use of the fair-green for holding their fairs. There are four fairs held in it—one belonging to the Town Commissioners, and three of Sir Edward Denny's. The Town Commissioners are entitled to hold a fair only upon the 4th of August. Mr. Denny has agreed, upon the part of Sir Edward Denny, to give £50 a-year to the Town Commissioners out of the tolls he receives, for the improvement of the town. The company which formed the market is a private company. The Town Commissioners co-operate with the market company, and keep the town clean, out of the tolls collected. The tolls of his markets and fairs are leased by Sir Edward Denny to a Mrs. Peg Murphy, and the Commissioners leased the tolls of their fairs and markets to the same person. She pays to the Commissioners £10 per annum for their tolls; 1*d.* in the crown is the toll charge on all corn sold for home consumption. The Market Company do not demand a toll, but charge for supplying a standing-place for a horse and cart, and the use of the scales, and weighing, and other conveniences of their market.

3119. Are tolls charged upon agricultural produce whether sold or not?—I believe no corn is charged tolls in this market unless it is sold and consumed in the town. If it is sold to the merchants for exportation there is no toll charged upon it. The Town Commissioners have the old patent of the former Corporation vested in them, under the Municipal Act. I have seen a copy of the patent of the former Corporation, and think I have it somewhere in my possession; I will produce it. It was produced by the Rev. Mr. Rowan in court to prove the right of the burgesses to register. I could not say whether it was a grant of the market or the old charter of the Corporation. The Town Commissioners often wanted to see Sir Edward Denny's patent, but could not see it. I believe some of the tolls levied by Sir Edward Denny are not authorized to be levied under his patent; I produce what I believe is a copy of the old grant to the Corporation. By this it appears that the Corporation are authorized to hold a market on every Tuesday, and a fair on the Feast of St. James, if the day does not fall on Sunday. At present these are vested in the Town Commissioners.

William Carroll examined.

268. William Carroll.

3120. What is your occupation?—I am the clerk of the Incorporated Company of Merchants of Tralee.

3121. Have you any statements to make as to any matters connected with the Market Company?—I beg to state that the class of persons levying tolls for Sir Edward Denny in this town are of a very disreputable character. These persons often extort more than they are entitled to, and keep it for themselves. I speak now of the persons who collect the tolls about the streets. In case any complaint is made of excessive tolls being levied by any one in the market-place, I have him put out of it at once. Toll is levied on corn sometimes whether it is sold or not. The collectors do not keep books except in the case of tolls upon butter.

3122. What is the toll upon butter?—One penny a firkin. No return is made to any one of the tolls paid.

3123. Are the tolls paid by the buyer or seller?—The seller pays the tolls on market-days. I must state that several complaints were made to me of more being charged by the collectors than they are entitled to. I went to Mrs. Murphy, who rents the tolls, and told her of 1*s.* being charged instead of 6*d.*, which was the proper charge. If a farmer did not pay these demands, he was seized and roughly handled; I have seen it done myself; I often saw the farmer assaulted if he did not pay what they chose to ask. I will furnish a list of the charges made in the market, independent of tolls.—[*The following is the list sent by witness*]:—

SCHEDULE of the INCORPORATED MERCHANTS of TRALEE COMPANY'S MARKET CHARGES.

	s.	d.
Corn, weighed, per 14 stone,	0	0¾
„ not weighed, per load,	0	3
Potatoes, per 10 stone,	0	0½
„ load,	0	1
Hay and straw, per load,	0	2
Cabbage „	0	3
Turnips, &c., „	0	3
Butter, per firkin,	0	3
Turf, per large load,	0	0½
„ small „	0	0¼
Horses and cows, each,	0	1
„ when sold,	0	3
Twigs, per load,	0	1
Furniture, according to lot.		
Cabbage dealers, per week,	0	1½
Meat „ „	0	2
Potato „ per day for weighing,	0	1
Butchers' stalls, per week,	1	0
Weigh-bridge, per load,	0	1

TRALEE, 17*th November*, 1852.

268. William Carroll.

The following is a SCHEDULE of the TOLLS and CUSTOMS claimed by Sir EDWARD DENNY, Bart., to be payable to him under the patent granted for holding the May, October, November, and December, Fairs, and the Saturdays' Markets in the TOWN of TRALEE, Co. KERRY :—

	s.	*d.*
Cow, ox, or bull, fair-days,	0	6
„ market-days,	0	3
Horse or mare,	0	6
Sheep,	0	1
Lambs, from January to July,	0	0½
Pigs,	0	2
Potatoes, per crown value,	0	1
Corn, of every kind, per crown value,	0	1
Butter, in rolls, „	0	1
Butter, in casks or parcels „	0	1
Every churn of sour milk,	0	0½
Load of fish, fruit, and straw, each,	0	1
„ brooms,	0	0½
„ eggs,	0	1
„ scollops or laths,	0	0½
„ woodenware,	0	1
„ fowl,	0	1
„ vegetables,	0	1
Hides, each,	0	1
Calf and goat skins,	0	0½
Horse-skins, each,	0	1
Flannel or frieze, per crown value,	0	1
Two-year-old heifers,	0	1
Yearling calves,	0	0½
Bags of feathers,	0	2
„ wool,	0	2
Oatmeal, per crown value,	0	1
Butchers' stalls, on market-days,	0	0½
„ fair-days,	0	1
Parcels of rabbits,	0	1
„ stockings,	0	1
Bee hives,	0	0½
Hucksters' standings, on fair days,	0	2
„ market-days,	0	1
Casks of tallow or lard,	0	0½
Fresh milk, per four gallons,	0	0½

Signed on behalf of Sir Edward Denny, Bart.,

PIERCE CHUTES.

Search being made amongst the Records of the Peace Office, County Kerry, I find the foregoing is a copy of tolls and customs remaining of record thereof, which I certify this 25th day of November, 1852.

T. BENNER, *Deputy Clerk of the Peace, County Kerry.*

A SCHEDULE of the ARTICLES on which CUSTOM is payable to the CORPORATION and BOROUGH of TRALEE.

	s.	*d.*
For one cow,	0	6
„ horse,	0	6
Sheep,	0	1
Lambs, from January to July,	0	0½
„ July,	0	1
Pigs, market-days, and work-days,	0	2
„ fair-days,	0	3
Potatoes, per crown value,	0	3
Corn, of any kind, „	0	3
Butter, in rolls, „	0	3
„ casks, or small parcels,	0	1
Every possession of milk,	0	0½
Loads of fish, each,	0	2
„ fruit, „	0	2
„ straw, „	0	2
Horse-load of brooms,	0	2
„ eggs,	0	2
„ scollops and laths,	0	2
Loads of woodenware,	0	2
„ fowl,	0	2
Loads of vegetables,	0	2
Hides, each,	0	1
Calf and goat skins,	0	0½
Horse-skin,	0	1
Flannel, frieze, bandlelinen, per crown value,	0	3
Two-year-old heifers,	0	4
Yearling „	0	2
Calves, each,	0	0½
Bags of feathers,	0	2
„ wool,	0	2
Oatmeal, per crown value,	0	3
Butchers' stalls, market-days,	0	1
„ fair-days,	0	4
Parcels of rabbits,	0	2
„ stockings,	0	6
Bee hives,	0	1
Hucksters' standings, fair-days,	0	4
„ Tuesdays and Saturdays,	0	1
Cakes of tallow and lard, each,	0	1

SAMUEL MORRIS, *High Provost of Tralee.*

Search being made amongst the Records of the Peace Office, County Kerry, I find the foregoing is a copy of tolls and customs remaining of record thereof, which I certify this 25th day of November, 1852.

T. BENNER, *Deputy Clerk of the Peace, County Kerry.*

269. —— Denny, esq.

—— *Denny*, esq., examined.

3124. What is your occupation?—I am Clerk of the Peace.

3125. Have you got the last list of the tolls lodged with you on the part of Sir Edward Denny, and the Tralee Corporation?—I produce here the list of the tolls lodged with me as Clerk of the Peace on the part of Sir Edward Denny and the Corporation of Tralee, to which they are respectively entitled.

270. Mr. Leahy.

Mr. *Leahy* examined.

3126. Have you any information to give?—I beg to state that I was charged 1*s.* toll for a horse at one of the fairs held here, while 5½*d.* is the proper toll I should have been charged. It was O'Donnell's man charged it, at one of Sir Edward Denny's fairs.

TRALEE,
17th November, 1852.

271.
Mrs. Peggy Murphy.

Mrs. *Peggy Murphy* examined.

3127. You rent the tolls of the markets?—I do; I rent tolls from Sir Edward Denny, and the Town Commissioners; I pay the Town Commissioners a rent of £10 a-year, and Sir Edward Denny according to the tolls received by me; from £30 to £40 is the rent at present paid by me. I do not hold the tolls of the fairs or pig market from Sir Edward Denny; James O'Donnell has these.

3128. How do you collect the tolls?—I levy the tolls Saturdays and Tuesdays; my brother's children collect the tolls, and give them to me in the evening; I never heard that they levied more than is on the toll-board; I hold the tolls of the fairs of the Town Commissioners.

3129. What toll would you charge for a horse?—I would charge 5*d.* in the Commissioners' fair. I never charged 1*s.* for a horse; I can depend upon the toll-collectors. On potatoes I charge a 1*d.* to the crown; they tell me what they are sold for, and I then make the charge. What corn goes to the merchants' stores is not charged, only that which is sold for home consumption.

3130. What toll do you charge upon butter?—I charge 1*d.* a firkin; the toll is never charged unless the article is sold. I collect tolls on butter and corn, also flannel and frieze, and 1*d.* for a standing; all the others pay 1*d.* to the crown. A cow is charged 3*d.* in the fair, and 3*d.* in the market; a two-year-old 1*d.*, a calf ½*d.* My brother's children collect the tolls at the fairs; they live out of town, and it would take a long time to have them brought here. The charge upon pigs is 2*d.* each at the Commissioners' fairs.

3131. Would you charge 2*d.* upon any pig, no matter how small it was?—I would.

3132. Do you charge tolls upon all butter, whether sold for home consumption or not?—I do; I charge it whether for exportation or not, 1*d.* a firkin; I never heard of a higher toll being levied by my toll-collectors. I rent the tolls of both markets, except the pig market I get the tolls on cattle; the farmer never refuses to pay the tolls demanded.

3133. Have you a toll-board at every gap of the fair?—I have. I collect the tolls in the potato market on market-days.

272.
James O'Donnell.

James O'Donnell examined.

3134. Where do you reside?—At Ballyhereatty, near this town.

3135. What is your occupation?—I rent from Sir Edward Denny the tolls of the three fairs held by him, and the pig-market on Saturdays. I have nothing to say to the cattle upon any market-day; but upon Saturday, I employ one man to collect the tolls of the pig-market.

3136. Is there an enclosed fair-green?—There is; the pig market also is held in a field. I do not levy the full tolls marked upon the toll-board.

3137. What are the tolls you charge in the fairs?—I charge 2*d.* on each pig; 6*d.* for a cow; 2*d.* for a two-year-old heifer, and 1*d.* for a yearling; 2*d.* for a sheep; 1*d.* for lambs, and 6*d.* for a horse; I never charged more than 6*d.* for a horse; I never charged 1*s.*

3138. What class of men collect your tolls?—My father collects for me, and four other men. There is one responsible person at each gap; there are two gaps of the fair-green used.

3139. Have you a toll-board posted up at each gap?—No; I have only one toll-board, and I had no toll-board at the fair.

3140. By what, then, do the collectors levy the tolls?—The persons who are in the habit of collecting the tolls, know what to charge. The board produced is not the toll-board I collect by, it is not the same; 6*d.* is the toll charged for cows on the board I collect by; I charge 2*d.* for a two-year-old, although I am not authorized by my toll-board to charge more than 1*d.*

3141. When did you get your toll board?—I received it from my father in-law, who held the tolls before I did, from Mr. Denny.

3142. Have you ever heard of any of your men charging 1*s.* for a horse, or making any other charge, higher than the board authorized?—No; and I do not believe that any of them ever charged 1*s.* for a horse. I never heard any complaints in any respect of any of my collectors.

3143. Do you charge 2*d.* a piece for pigs, no matter how small?—I do.

3144. If there were a number of suckling pigs in a cart, would you charge 2*d.* on each?—Yes.

3145. Do you levy toll upon cattle entering or leaving the fair?—I levy it upon cattle that have been sold in the fair, when they are leaving it. The mode of collecting is this: my men ask the driver of the cattle if they are sold, and he holds up a bit of brown paper, and they are asked, "On your oath, are the cattle sold or not." I never require them to touch the paper; if I do not believe them, I bring them before a magistrate; if I do not know the man and have reason not to believe his statement, I do not let him out.

3146. Did you ever bring a man before a magistrate to clear his cattle?—No, I never did.

3147. Do you not think that many go out without paying, although they touch the paper?—I think there are many that do so.

TRALEE,
17th *November*, 1852.

273.
William Denny, esq.

William Denny, esq., examined.

3148. You are, I believe, agent to Sir Edward Denny, the patentee of some of the fairs and markets of this town?—I am.

3149. Under what patent or authority are these fairs and markets held?—Under an old patent, of which I do not know the date. The market and October fair are held under a patent of Charles I. I do not know the particulars of the patent under which the other fairs and markets are held, but there is a patent for them.

3150. Is there any schedule of tolls attached to the patent?—No; I do not think there is.

3151. Do you know from what and by whom the toll-board was made out?—No; the present toll-board was printed more than twenty years ago, before I became agent to the property. It has been stated by some of the persons present that the toll-collector charges sometimes higher tolls than he is authorized to do by the toll-board.

3152. Do you know if such is the case?—No; I do not, but of course any one who is overcharged, has his remedy at law. I never heard any complaints made that such was done.

3153. The present toll-board does not appear to agree with the list lodged with the Clerk of the Peace in 1830; can you account in any way for this?—I cannot say from what the list lodged with the Clerk of the Peace was made out, as I was not at that time agent to the property.

3154. Have you ever heard that it is the custom to clear the cattle going out of the fairs, by requiring the drivers to take an oath?—I have heard such was the practice, and I believe the same custom prevails in all the fairs in Ireland.

3155. Do you not think it would be better to charge a moderate toll upon all cattle entering the fair, and that the owner of the fair should provide proper accommodation in return?—I fear such a system would give great dissatisfaction to many people; at the same time I consider the present mode of collecting very objectionable.

3156. What tenure has O'Donnell of the market and fairs?—O'Donnell does not rent the whole of Saturday's market, and he holds only the pig market by a yearly agreement.

3157. Tuesday's market does not, I believe, belong to Sir Edward Denny?—No; the Town Commissioners hold the Tuesday's market and one fair under an old Corporation grant.

3158. Sir Edward Denny has never supplied a market-place, I believe?—No; the Market Company gave the present market-place to the town. Sir Edward Denny never gave one. Until the Company established this market, there was no enclosed market-place. At the same time I must state, that Sir Edward Denny offered to the town two and a-half Irish acres, for ever, for a market-place. It lay near the canal stores, but it was not accepted by the merchants of this town.

3159. Is there any return or value given to the public by the patentees of the markets for the tolls they receive?—No; there is not. Before the present market was established, Sir Edward Denny supplied scales, but they were not sufficient to weigh all the corn that was sold in the town. I think that all corn sold in the town should be weighed in the public scales.

3160. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster, in which all the agricultural produce sold in the town should be sold and weighed?—I would; I know before the present market was established, complaints were made of the want of accommodation in the market.

3161. How are the tolls levied by Sir Edward Denny in the present market?—Soon after the market was established by the Market Company, the trustees of it objected to have our tolls collected in their market, and we had to prove our right to levy them there. The way it all happened was this—there was resistance made to the payment of tolls within the Company's market. I was about to take proceedings, but there was no step taken beyond getting counsel's opinion. I was applied to at the same time to establish a fair-green, and the opposition to the tolls in the market-place just then grew very active. I stated to the market trustees I had a right to collect tolls, and we would create a market in the ground intended for the fair-green, and if they resisted the tolls in the market any longer, we would establish a market free of tolls to the public, and give every accommodation. The Company knowing if I did so that the public would take advantage of my proposal, and that they would not then be able to keep up the present market, there was then an application made by the Commissioners for monthly fairs, which were not to be free of toll; the application was made to the Government, and Sir Edward Denny also applied to the Government to refuse them, and the result was, that the Government refused to grant the monthly fairs, as interfering with the rights under Sir Edward Denny's patent. It was at this time that we offered the use of the fair-green to the Town Commissioners, and that we agreed to pay them £50 a-year, out of what we received from the fairs and markets.

3162. I am informed by Mr. Donovan that this payment is in arrear for the last three years?—It is not in arrear. It is true that it has not been paid for the last three years; but I must correct the statement of Mr. Donovan. I refuse to pay the £150 now due, and I will not pay it till the Commissioners pay the £50 due by them to Sir Edward Denny. As soon as they pay me the £50 they owe Sir Edward Denny, I will send a cheque for £150 to Pitt & Company, their contractors at Bath, to whom they owe a large sum of money.

3163. I understand Mr. Donovan to state that the conduct of the toll-collectors was the cause of refusing to allow the tolls to be collected in the market-place?—I do not believe such was the cause, as I never heard a complaint of the conduct of these men who had been collecting tolls, some of them upwards of twenty years. I believe there was a syste-

matic opposition to tolls at the time, and that the conduct of the collectors had nothing to say to it.

TRALEE, 17th November, 1852.

273. William Denny, esq.

3164. Would you be in favour of an assimilation of tolls, weights, and measures, all over the country?—I would.

3165. Would you not approve of having all corn weighed standing beam, with one pound-weight, deducting nothing from the gross weight of the corn except the actual weight of the empty sack?—I would.

274. Nich. Donovan, esq.

Nicholas Donovan, esq.—In reply to what Mr. Denny has stated, I beg to observe, that at an extraordinary presentment sessions, held during the famine year, a presentment was passed, by which a market-place was to have been established at the basin of the canal. The merchants of this town were not consulted, and they objected. Instead, therefore, of taxing the county, they got a piece of ground from Mr. Pim for the market, at their own expense; and they established the present market-place, with sheds and scales; and after it was established, a great outcry arose at the manner in which the tolls were collected. Mr. Denny was applied to, to put a stop to the practices of the toll-collectors, but he took no steps to improve the state of things. It was inside our market place that this rough treatment took place, and in consequence we refused to admit the toll-collectors within the market-place. Mr Denny then offered to the town a large fair-green, for the Commissioners to hold their fair in, which the Commissioners accepted, and have allowed the tolls to be collected ever since in their market-place. The terms of the compromise then made were, that the Town Commissioners should be entitled to hold their fair in Mr. Denny's fair-green. If we had not agreed to those terms, we should have been deprived of the basin, and the county put to great expense.

3166. Did you ever hear any complaints of the manner in which tolls were collected, previous to the Company's market being established?—Before the Company's market was opened, I never heard complaints of the manner in which collectors acted in levying the tolls; the manner in which they were collected was our only objection to have them collected in our market-place; on the part of the Company there was no other objection. Mr. Denny also agreed to give the tolls to the Commissioners for the use of the town. I wish also to say, that the tolls are so indefinite, that I cannot say what is properly charged or not.

3167. Have the Commissioners got a toll-board?—I believe there is one. I am only a few months connected with the Commissioners, so I cannot speak positively on the matter. With regard to the market, the Market Company have no power to levy tolls, they only can charge for the accommodation afforded to persons using it; a person entering the market will have only to pay for the standing of a horse and cart, 3*d*. per load. There is no charge for weighing corn unless it is weighed.

3168. What is the system of weighing in your own stores?—In my stores the sacks are weighed, and their weight deducted; we deduct half a-pound on each stone of oats, for tret, and seven pounds on twenty stone of wheat; I pay for the broken pounds, but such is not general among the merchants, except in the case of wheat, the broken pounds of which are always paid for. The merchants make no charge for weighing or porterage.

3169. Is much butter sold in this market?—After the market was founded, the landed proprietors were desirous to have butter properly weighed on the Cork system. I hold in my hand a requisition from the Grand Jury, asking the Market Company to establish a butter market, and an inspector of butter; it was most respectably signed by all the leading men in this part of the country. In consequence, the Market Company appointed Mr. Curtis on the system asked for. The market, however, was not supported, and I became a buyer for the purpose of sustaining it. I am, however, at present the only buyer in it.

3170. Is all the butter sold in the town, sold in the Company's market?—There is only about one-fifth of it sold there; three-fourths of the butter sold in this town is sold by lump and not by weight.

3171. Do you not think the system of selling butter by lump is very objectionable?—I do; improvement in butter cannot go on if butter is sold by lump. The butter weighed in the market goes to the merchants' stores, and is shipped on the inspector's brand.

William Carroll examined.

275. William Carroll.

3172. What is your occupation?—I am weighmaster to the Market Company of Tralee.

3173. What is the system of weighing corn in the market?—We weigh down weight, the scale must rest upon the ground. Four pounds is the smallest weight used. We make no deduction. I only give the gross weight of the draught, the tare is deducted at the merchants' stores. The merchant deducts the actual tare of the empty sack, and half-a-pound to the stone as tret, on oats and barley, and seven pounds on twenty stone of wheat.

3174. Is there any charge for weighing or porterage made at the merchants' stores?—No.

3175. What is your system of weighing potatoes?—I weigh down weight; ten stone is the usual draught weighed; four pounds is the smallest weight used; the scale need only touch the ground; four pounds is always struck off for the weight of the sack. There is no beamage deducted; sometimes potatoes are sold by measure.

3176. Are there a sufficient number of beams, scales, and weights, in the market?—There are beams and scales, four of which are used for weighing corn, and two for potatoes; they are quite sufficient to weigh all that comes into the market.

TRALEE.
17*th November*, 1852.
275
William Carroll.

3177. Do you keep a book in which you enter the nature and quantity of all agricultural produce sold and weighed in the market, and does the buyer or seller receive a copy of such entry?—I give a docket to the seller, showing the seller's name, the date, and the gross weight of the corn; I do not deduct the weight of the sacks, or know the price it is sold for. I enter in a book I keep for this purpose a copy of the docket I furnish to the seller, and in case of its being lost I could give the seller another one.

3178. If you were applied to by Government, could you give the nature and quantity of corn sold in a year?—I could give the nature of the corn sold, and go very near the weight.

3179. Is the weighmaster sworn under the Statute of 4th Anne, cap. 14?—Yes.

3180. What is your system of weighing wool?—We weigh wool with standing beam and one pound weight, and make no deduction of any kind whatsoever from the gross weight.

3181. What is your system of weighing butter?—We weigh butter with one pound weight and a cast of the beam: the scale need not touch the ground.

3182. Have you any observation to make with regard to any of the markets?—With regard to the butter market I wish to observe, that before the inspector of butter was appointed, our butter used to go 8*s.* a hundred-weight less than Cork butter, but now it stands equally high with Cork butter. All the butter branded should, I think, be stored in the market depot, and not let out until it was going to be shipped; but we have no store to put it into. I would, however, have an act passed to compel all butter for exportation to be branded, and shipped from bond stores.

3183. Would you be in favour of an assimilation of tolls, weights, and measures, over the whole country?—Yes; it would be most desirable.

3184. Would you not also be in favour of the establishment of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster?—I would.

KILLARNEY,
18*th November*, 1852.
276.
R. Morphy, esq. J.P.

KILLARNEY, NOVEMBER 18, 1852.

Richard Morphy, esq., J.P., examined.

3185. Where do you reside?—In Killarney.

3186. What is your occupation?—I am Seneschal of the Manor of Ross and Mullahy, and rent the tolls of the markets of this town.

3187. Under what patent or authority are the markets held?—Under a patent, granted by James the Second.

3188. Who is the owner and patentee of the market and fairs of this town?—The Earl of Kenmare.

3189. How often is the market held, and what are the market-days?—Once a week, on every Saturday.

3190. Are tolls levied in the markets and fairs?—They are. Tolls are paid by the seller on market-days, and the buyer on fair-days.

3191. Is there any charge made for weighing in the market?—No, there is not; the charges made in the market are only for tolls, and for nothing else. Tolls are charged whether the articles are weighed or not.

3192. What are the tolls charged?—The tolls at present levied were fixed by a court leet, held in this town for that purpose, in November, 1841. I will give a copy of the toll-board for the markets. [*The following is the copy of the toll-board furnished by the witness*]:—

KILLARNEY MARKET-CHARGES.

	s.	*d.*
A carcase, beef,	0	2
A hide,	0	2
Kip,	0	1
A pig,	0	1
A carcase, mutton,	0	1
Oats, per barrel of thirty-three stone, neat,	0	3
Small bags, do.,	0	1
Fresh fish, per basket,	0	1½
Per hundred-weight,	0	1
A firkin butter sold,	0	1
Potatoes, from four to seven weights,	0	1
„ two to three and a-half, do.,	0	0½
Milk, per large churn,	0	1
Small churns,	0	0½
A can,	0	0¼

3193. Is there an enclosed market-place, and is the sale of all agricultural produce confined to it?—There are enclosed market-places; and upon the market-day all agricultural produce, except potatoes, is sold in the market-places, as they would not be allowed to sell it in the streets. It is sometimes, however, brought direct to the merchants' stores for sale.

3194. Has there been a sworn weighmaster appointed under the 4th of Anne, cap. 14?—There has been a weighmaster appointed, who is sworn; but I do not know whether he has been appointed under that Statute. He is sworn, I know, to give a fair return of the articles sold and weighed by him.

3195. Is all the corn sold in the market weighed in the market scales?—No. I believe wheat is never weighed in the market; it is taken to the merchants' stores to be weighed. About two-thirds of the oats sold in the town is weighed in the market scales. I cannot say what proportion of barley.

276.
R. Morphy, esq. J.P.

3196. Are tolls levied upon all corn brought into the market, whether sold or not?—Tolls are only levied upon wheat sold and weighed in the market.

3197. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a competent, sworn weighmaster, in which all the agricultural produce sold in the town, should be sold and weighed?—I think such would be very desirable.

3198. Would you be in favour of an assimilation of weights and measures over the whole country?—I would. It would prevent the confusion that at present exists, in ascertaining the price of corn in the different towns of Ireland.

3199. Would you approve of an assimilation of tolls, also, over the whole country, and that Parliament should define what are legal tolls?—I would very much approve of this also.

3200. Do you think it would be better to have all corn weighed at standing beam, using one pound as the lowest weight, and abolishing all deductions, except the actual tare of the empty sack?—I think it would be much better, and the buyer could regulate his price accordingly. The system of deducting beamage makes the farmer careless in cleaning his corn, as there will be the same deduction made, whether it is properly cleaned or not. The system of deducting beamage is professedly to allow for the dirty state of the corn; but if it is dirtier than the sample, the merchant will cut it, and give a lower price, besides deducting the beamage.

3201. Do you rent from Lord Kenmare the tolls of the fairs?—No; John O'Reardon, the coroner of this district, is the lessee.

3202. Are tolls charged upon cattle entering or leaving the fair?—Upon cattle leaving the fair, and only upon such as have been sold.

David Lynch examined.

277.
David Lynch.

3203. Where do you reside?—I live in this town.

3204. What is your occupation?—I am deputy weighmaster of the market; I was appointed by Mr. John Morphy, the seneschal of the manors.

3205. What number of beams, scales, and weights are kept in the market?—There are seven sets.

3206. If every thing sold in the town was weighed in the market, would the market-places be sufficiently large, and would there be sufficient accommodation?—No; the market-places would not be sufficiently large, and the present beams, scales, and weights would be quite insufficient.

3207. What proportion does the quantity of corn weighed in the market bear to what is sold in it?—I should say about half the corn sold in it is weighed in the market scales.

3208. What is the system of weighing in the market?—We weigh with a cast of the beam in wheat, in weighing oats and potatoes the scale must touch the ground. In heavy draughts two pounds is the smallest weight used, and there is half a pound to the stone duty for beamage on oats. I make up the price upon the ticket. I do not charge for the broken pounds, nothing less than half a stone is paid for. The beamage deduction in the case of wheat is four pounds per barrel. I tare the sack in all cases, and deduct the actual weight of it.

3209. What is your system of weighing potatoes?—I weigh down weight. Seven pounds is the smallest weight used. I take out some potatoes, so as never to have any broken pounds, and deduct no beamage.

3210. How are potatoes sold?—They are sold in this town by the weight of twenty-one pounds.

3211. How do you weigh butter?—I weigh butter with a cast of the beam, and one pound is the smallest weight used.

3212. How do you weigh wool?—Wool is weighed down weight to one ounce, and half a pound is deducted from sixteen pounds for beamage.

3213. Do you give a docket to the seller, showing the net weight of all corn that is sold and weighed in the market?—No; I only give the gross weight. The docket is written, and not printed; I put only my own name, and the gross weight of the corn. I could not give a duplicate of the docket if the original one was lost.

3214. Could you give a return of the nature and quantity of all the agricultural produce sold in the market in a week?—No, I could not, as I keep no book.

3215. Is corn sold by the barrel?—No; it is always sold here by the stone, which consists of fourteen pounds, except in the case of wool, which is sixteen pounds.

3216. Does a hundred-weight always consist of 112 pounds?—Yes.

3217. Is there an inspector of butter in this market?—No; all butter is sold here by the lump, and very great complaints are made of its being sold by lump instead of weight.

3218. What is the greatest quantity of corn sold in this market in one day?—About 120 barrels of thirty-two stone each.

3219. Do you ever hear complaints of the system of weighing in the private stores?—No, I never do.

James Coffey examined.

278.
James Coffey.

3220. Where do you reside?—In this town.

3221. What is your occupation?—I am employed as a clerk in Lord Kenmare's office.

3222. Do you know any thing of the terms upon which the tolls of the fairs are leased?—I know they are leased to Mr. O'Reardon, the coroner, who holds twenty acres of land, and the tolls of the fairs in addition—I think he has held them about twenty years.

KILLARNEY, 18th November, 1852.

278. James Coffey.

3223. Are tolls collected at all the fairs?—Yes; tolls are levied on all cattle that are sold, when leaving the fair, by men placed at the gaps. There is a toll-board posted up at each gap.

3224. State the system of collecting tolls at the fairs?—The men at the gaps ask the drivers of all cattle going out, whether they have been sold. If he says not, and they do not know him, or for any reason doubt his word, they make him touch a piece of paper to clear them.

3225. There appears to be some erasure made upon the toll-board, just opposite the charge for yearlings. Do you know how this occurred?—I do not; I do not remember to have ever seen any thing more upon it than there is now.

279. Timothy Spillane.

Timothy Spillane examined.

3226. Where do you reside?—In this town.

3227. What is your occupation?—I am employed as collector of tolls upon fair-days at the gap.

3228. What system do you adopt to collect the tolls at the gap?—I have a piece of paper in my hand, and I make any driver I do not know, who says his cattle are not sold, touch the piece of paper or the toll-board. I would not let him through the gap if he did not touch the paper or the board.

3229. Would you get as much tolls if you did not practise this system?—No; some of them think it is an oath, and I am sure I would not get much if I did not make them do it.

3230. Do you keep any book or account of the money you collect at the gap?—No; I put what I receive in my pocket, and never count it until I put it on the table in the evening for Mr. O'Reirdon.

3231. Can you read and write?—I can.

3232. Do you charge any tolls not upon the toll-board?—No. I do not charge, in many cases, as much as I could according to the toll-board; and I never charge tolls for any thing that I am not authorized to charge.

3233. Is there an enclosed fair-green?—No; the fairs are held upon an open space of ground in the town, that was left on purpose for to hold fairs upon; it is not enclosed, and some of the cattle are sold outside this space, in the streets of the town.

3234. Can you state what proportion of cattle entering the fairs pay tolls?—I should say not quite one-half.

3235. Is the fair-green large enough for all the cattle brought to the fair?—I do not think it is.

3236. Do you charge as much for a sucking pig as for a large one?—I do.

280. James Egan.

James Egan examined.

3237. Where do you reside?—In this town.

3238. What is your occupation?—I am a worker of arbutus wood.

3239. Do you wish to add any thing to the evidence given by the former witnesses?—Yes. There is very great confusion and mismanagement at the public scales; several boys act at the scales instead of proper persons. In the meat-market the butchers weigh their own meat, and return its weight at what they please; and the men in the potato-market often take potatoes out of the scale as payment for weighing them. This has often happened to myself. There is also much forestalling in this town. The forestallers go out of the town, and meet the people bringing in potatoes, milk, and butter to the market, and buy them up, and retail them to the poor people at extravagant prices. The forestallers also buy up these things in the streets, and are encouraged by Mr. Morphy, the lessee of the market, in so doing; as by these means he first gets his tolls upon their being sold to the forestallers, and afterwards gets tolls upon them when they are retailed He thus gets double tolls upon these articles, but the poor suffer from it. There are also fraudulent measures kept by the women who sell milk; they have all second measures; they buy by one measure and sell by the other.

3240. Is there an inspector of weights and measures for this district or county?—There is; but, notwithstanding, the weights and measures in this town are very fraudulent. I would also suggest that all bread should be sold by weight; and the weight of each loaf ought to be fixed, and then sold according to the quality.

281. Henry Reiddy.

Henry Reiddy examined.

3241. Where do you reside?—I live in this town.

3242. What is your occupation?—I am storekeeper to Mr. Lahy, who has mills here, and I buy a good deal of corn in this market for him.

3243. What is the system of weighing at Mr. Lahy's stores?—We weigh down weight; two pounds is the smallest weight used; we deduct seven pounds upon a barrel of wheat, and half a-pound to a stone of oats for beamage. There is no barley sold in this market.

3244. Do you make any charge for weighing or porterage?—No.

3245. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster, in which all the agricultural produce brought to market should be sold and weighed?—If the accommodation was sufficient, I would strongly approve of it.

3246. Would you be also in favour of weighing at standing beam, using one pound as

the lowest weight; and abolishing all other deductions, except the actual tare of the empty sack?—I would; I think if it were made general the buyer could then regulate his price according to the value he received.

281. Henry Reiddy.

3247. Do you pay for the broken pounds of corn?—I do.

Maurice Quinlan examined.

282. Maurice Quinlan.

3248. Where do you reside?—I live near this town.

3249. What is your occupation?—I am a dealer in cattle.

3250. Have you any information to give, or suggestions to offer?—I wish to state that it is not the custom in this country to charge any tolls at fairs upon yearlings; formerly it was not so here. I see the price of yearlings is erased from the toll-board. It was upon it; I do not know when it was taken off.

3251. Would you object to pay a small toll entering the fairs, upon all the cattle you bring into it, instead of paying the present toll upon those that are sold, when leaving it?—I would not; if the toll was moderate I would not have the least objection to it.

3252. What proportion of the cattle entering all the fairs in Ireland do you think are sold in them?—About one-third are sold; I should think a toll of half the present amount would produce the same income, as many evade the payment under the present system, and the expense of collecting the tolls under it is very heavy.

Daniel James Moinhan examined.

283. Daniel J. Moinhan.

3253. Have you any suggestion to offer?—I beg to remark, that I think every fair-green ought to be enclosed, and that any tolls that were to be charged should be levied upon all cattle entering the fairs. I also think if more accommodation was given in the corn-market the quantity of corn sold in this town would be much increased.

Mr. *O'Reardon* examined.

284. Mr. O'Reardon.

3254. What is your occupation?—I am coroner of this county, and hold the tolls of the fairs here at a yearly rent.

3255. Do you know any thing of an erasure that seems to have been made upon the toll-board?—The words that were struck out of the toll-board, I believe, were—"If under." Then it read, "If under one year," and not, "One year old," as it is now on the toll-board; so that the erasure was, in fact, lowering the tolls for yearlings for the fairs. I will get a copy of the list of tolls lodged with the Clerk of the Peace and send it to you to show you that these were the words erased.

3256. Is the place where the fair is held large enough to accommodate all the cattle coming to it?—I think it is.

3257. Do you not think that the proprietors of fairs are bound to provide a properly-enclosed fair-green, and suitable accommodation, in return for the tolls they receive?—I think they ought, and I think that your suggestion that small tolls should be paid upon all cattle entering the fair, instead of upon those sold when leaving it, would be a very great improvement.

3258. What proportion of the cattle entering the fair do you think are sold in it?—I should say about one-half the number of pigs entering the fair pays toll, and about one-fourth the number of cattle. I should say about one-third the present amount of tolls levied upon all stock entering the fair would produce as large an income as the present one.

3259. Do you not think the mode of clearing cattle at the gaps, by making them touch a piece of paper or board, is very objectionable?—I do; I think the people do not much regard that kind of oath; and it may tend to make them think lightly on other occasions of the nature of an oath.

3260. How many fairs are held in the year?—Six fairs altogether, four of which are new ones. I do not think that there was any patent granted for the last four fairs. I do not pay Lord Kenmare rent for the tolls of the fair, but hold them as belonging to land held by me from him. I pay him about £20 a year; and another fair at Molahiffe is held under the same deed, the tolls of which are the same as here. I receive also the tolls of Sixmile-bridge fair, which I got from Mr. M'Carty. I get about £3 for each fair.

ABSTRACT of the RATES of TOLL and CUSTOM payable at KILLARNEY FAIRS, as by law and usage immemorial established, and by royal patent authorized to be raised and received in the grant made thereof to Sir Valentine Browne, ancestor of the Right Honourable the Earl of Kenmare:—

	s.	d.
For each horse, mare, or gelding sold,	0	10
„ cow, ox, or heifer, aged, sold,	0	6
„ same, if rising two years old,	0	4
„ same, if a calf,	0	1
„ sheep, lamb, goat, or kid sold,	0	1
„ pig,	0	3
„ tent where X waters or other refreshments are sold,	1	0
For each standing or large deposit on fair ground in which goods and wares are sold,	0	4
„ small ditto,	0	2
„ fowl and such small articles as are carried by hand,	0	1
For loading same in car or large basket,	0	4
For each hide or large skin,	0	1
„ small ditto,	0	0½

BATT LEARY.

3261. Do you think there are any people who from poverty would be unable to pay a small toll upon their cattle entering the fair?—No; I think everybody who had stock to sell could pay a moderate toll on entering the fair.

KILLARNEY,
18*th November*, 1852.
Castleisland Fair.

KILLARNEY, NOVEMBER 18, 1852.

CASTLEISLAND FAIR.

285.
M. Reidy, esq.

M. *Reidy*, esq., attended and stated, that Lady Headley having learned that the Commissioners appointed to inquire into the fairs and markets of Ireland were in the neighbourhood, was desirous to afford every information on the subject of Castleisland fair, of which Lady Headley was the patentee and owner.

3262. Can you state under what patent or authority this fair is held?—I do not know; Lady Headley's agent, who could have afforded full information upon this subject, is not in this country, and Lady Headley desired me to express her regret that he could not wait upon you for the purpose. I believe the fairs were originally held under an old patent, and are now held under a private act, but cannot state this with any certainty.

3263. How many fairs are held at Castleisland?—There are thirteen fairs held there in the year.

3264. Is there an enclosed fair-green?—No; the proprietor of the town made the street wider than would be otherwise necessary, in order to allow the fairs to be held there.

3265. Are the tolls of the fair leased?—They are; I myself have an interest in the lease of them.

3266. Will you state the system of levying tolls?—There is a toll-board posted up at each gap; we collect the tolls upon all cattle that are sold when leaving the fairs. There used to be a sort of oath administered to those who said their cattle had not been sold in the fair. They now merely state whether the cattle are sold or not.

3267. For what term are the tolls leased?—They are leased to me for a long term of years. No fair could be more convenient; the streets were made six times broader than was necessary for the town, in order to provide accommodation for the fairs.

3268. Would it not be better to charge small tolls upon all cattle entering the fair, instead of charging the present tolls upon those that are sold when leaving it?—I think it would be much more desirable to charge a small toll on all coming in, and in that case I think one-half the present toll charged would produce as much money.

3269. Do you ever charge more tolls than is authorized by the toll-board?—Never.

SKIBBEREEN,
20*th November*, 1852.

SKIBBEREEN, NOVEMBER 20, 1852.

Philip Somerville, esq., J.P., examined.

286.
P. Somerville, esq. J.P.

3270. What markets are there in this town?—There are two markets held in this town; but at different sides of the river. One is the property of Sir Henry Wrixon Becher, and the other, on the opposite side of the river, called the Bridgetown market, belongs to the Townsend family.

287.
T. H. Mannion, esq.

Thomas Henry Mannion, esq., examined.

3271. Where do you reside?—In Skibbereen.

3272. What is your occupation?—I am land agent to the Rev. Maurice Fitzgerald Stephens Townsend, who is the patentee and owner of the market and fair authorized to be held at Bridgetown.

3273. Under what patent or authority is this market and fair held?—Under a patent granted by James II. [*Witness produced the patent in Latin*]. By this patent, the Rev. Maurice Townsend is authorized to hold a market at Bridgetown every Wednesday; and four fairs in the year—viz., the 14th of May, the 2nd of August, the 12th of October, and the 23rd of December; and to levy tolls in each.

3274. Is there any market held under this patent?—No, there is not; and, of course, no tolls are levied.

3275. Are tolls collected in the fairs held under this patent?—They are. A man named Spillane, the sub-lessee of the tolls, receives them. Mr. Townsend leased them to a Mr. Fleming, and Mr. Fleming sub-let them to Florence M'Carthy and Spillane, as joint lessees; and Spillane and the representatives of M'Carthy hold them now.

3276. What rent do they pay?—They pay no rent.

3277. Can you furnish a list of the tolls levied at these fairs?—I will have one furnished to you.

3278. State the system of levying tolls.—The tolls are generally levied only upon the cattle sold. When leaving the fair, a man stands at the entrance to the streets, and levies the tolls upon their going out. Formerly there used to be a sort of oath administered to any drivers of cattle who said they had not been sold; but that is not done at present. There are men in the fair who watch and keep an account of what is sold.

3279. What value does the owner afford to the public in return for the tolls levied?—No value; he affords only inconvenience.

3280. Is the fair held in a fair-green?—No; it is held in the streets. There is a small open space, a sort of quarry, but it is in the street.

3281. Is there a market-house?—No, there is not. Formerly there was a market-house and a fair-green, which were both leased by Mr. Townsend to Mr. Fleming, who let the house go very much out of repair, and then leased them to Spillane and M'Carthy. Mr. Fleming took the market-house and fair-green away from Spillane, and the fair-green is now built upon. The houses which are built upon it are let to different parties; the market-house was also let for other than market purposes, by Mr. Fleming. The sub-lessees

SKIBBEREEN, 20*th November*, 1852.

287.

T. H. Mannion, esq.

will not pay one penny rent, on the ground that the market-house and fair-green have been taken from them.

3282. Has Mr. Fleming taken any steps to recover his rights?—He cannot during the present lease. The present lease is for a very old life (alleged to be in existence) and twenty-one years. I do not believe, however, that there is any lease in existence from Mr. Townsend to Mr. Fleming. The only one I know of has expired, but I have been told by Spillane, I believe, that he and M'Carthy have one from Mr. Fleming, such as I mentioned.

3283. Is there a toll-board?—There is.

3284. From what is it made out?—I do not know; I will find out further particulars connected with this matter, by comparing it with the list of the tolls lodged with the Clerk of the Peace. The tolls levied in the fair are, for a cow four years of age, 6*d.*; for a sheep, 2*d.*; large pigs, 2*d.*, and young ones 1*d.*; a calf would pay the same as a cow.

3285. Is a calf charged the same as a cow in the schedule?—I believe it is. I, some time ago, objected to pay any tolls at the fairs, upon the ground that they did not supply a fair-green or house, as they were bound to furnish proper accommodation in return for the tolls they received. I objected in order to make them prove their right at law to charge tolls. They said they would not insist upon my paying them, as a compliment to myself, and, as they would not go to law, I paid them ever since. [*The toll-board of the fairs at Bridgetown was here produced, of which the following is a copy*]:—

A Schedule of the Bridgetown, Skibbereen, Tolls to be Paid.

	s.	*d.*		*s.*	*d.*
Cows,	0	6	Goats,	0	1
Horses,	0	6	Boats laden,	0	6
Sheep,	0	1	Standings, market-days,	0	1
Lambs,	0	1	„ fair-days,	0	4
Pigs,	0	2	One or two churns of milk,	0	1
Heifers,	0	6	Potatoes and Meal to pay the sixteenth part of kind or money.		
Yearling Heifers,	0	3			
Colts,	0	3	Baskets of Fish,	0	1
Calves,	0	1	Friezes, to the crown,	0	3

John Boyle Townsend, esq., Thomas S. Fleming, esq., *Proprietors.*

John Spillane, Timothy M'Carthy, Florence M'Carthy, *Collectors.*

3286. What proportion of the cattle entering Bridgetown fair do you think are sold in it?—I should say about one-half.

3287. Will you give a copy of the schedule of Bridgetown tolls, lodged with the Clerk of the Peace?—I will, if there is one; but I do not think there was one ever lodged with him.

3288. Are you sure that there is no outstanding lease from Mr. Townsend to Mr. Fleming?—Mr. Fleming told me there was; but he never showed it to me, although I have asked him to do so.

3289. Do you think fairs at Bridgetown necessary for public convenience?—No; as far as public convenience is concerned, it would make no difference whether Bridgetown fairs were abolished or not. I think they ought to be held in a fair-green, and not in the streets. I cannot go in and out of my house on a fair-day, on account of the fair being held in the streets. If Mr. Townsend had the fair in his own hands, he would give a proper fair-green, and proper accommodation; but no person could be expected to afford accommodation with a lease outstanding against him.

Patrick Spillane examined.

288.

Patrick Spillane.

3290. Are you the lessee of the tolls of the fairs and markets of Bridgetown?—My father was the lessee, but I now collect the tolls.

3291. At what rate are the tolls let?—Twenty pounds a year. My father got a lease from Mr. Fleming; and Mr. Fleming afterwards took away the fair-green and the market-house, and demanded rent after taking them away. Mr. Fleming got £7 a year for the house, and £20 a year for the green. I have not paid rent since they were taken away from my father.

3292. You neither account to any one for the tolls you receive, nor pay rent to any one?—That is the fact.

3293. Do you recognise Mr. Fleming as your landlord?—I do acknowledge him as such, but do not pay any rent, as he took away the market-house and fair-green; and receives more for them than they and the tolls were let for to my father.

3294. Is there any market held in Bridgetown, or tolls collected there?—No.

3295. Where are the fairs held at Bridgetown?—In the streets.

3296. Do you ever collect any tolls that are not upon the board?—No, I never do; and I collect tolls only upon what cattle are sold at the gaps. We have five gaps, at which we collect the tolls.

3297. Is there a toll-board posted up at each gap?—No; we have only one toll-board at the principal gap.

SKIBBEREEN, 20*th November*, 1852.

288.
Patrick Spillane.

3298. How can your men and the farmer tell at the other gaps whether the right charges are made or not?—They both know what is right to be paid without the toll-board.

3299. What is the charge for a calf?—One penny. Three-year-olds and two-year-olds pay 6*d.*

3300. It is stated that 6*d.* is often charged for a calf: how do you account for this?—I cannot account for it. I have never heard any complaints against my men for any thing connected with the collection of tolls.

3301. What class of men do you employ as toll-collectors?—They are labouring men that are employed for this purpose, and I know them to be honest. I do not believe that they ever levy more than they are authorized by the toll-board.

3302. What are the tolls worth?—About £5 a fair.

3303. What is your system of levying the tolls at fairs?—The men at the gap collect tolls from all cattle sold leaving the fair. They ask the driver if they are sold or not; if he says not, they never make him touch a board or a piece of paper, but take his word for it. I never recollect hearing of a man being asked to touch a piece of paper going out of a fair here.

3304. Do you ever levy a toll upon meal or potatoes?—Never, since the failure of the potatoes.

3305. What value is given to the public in return for the tolls of the fairs?—There is none whatever.

3306. Do you keep any book in which you enter what you receive at the fairs?—No, I do not.

3307. Do the drivers of cattle often, under the present system of collection, evade the tolls?—I have no doubt they do.

3308. Do the collectors keep any account of what they receive at the gaps?—No; they only give me the money, and I depend upon their honesty.

289.
John Fleming, esq.

John Fleming esq., examined.

3309. You hold, I believe, the markets and fairs of Bridgetown from Mr. Townsend?—I do.

3310. What lease has Spillane of the fairs and markets?—He has no lease of them; he took them from my brother, at £20 a-year, and then said he would not pay any rent, unless he got the market-house and fair-green. My brother tried to get him and Florence M'Carthy out by legal process, but failed.

3311 Upon what grounds did he fail?—I cannot exactly say, but it was tried in the superior courts; then he tried to abolish the tolls, to punish him, and thus get him out of the place.

3312. Is he not still levying the tolls?—He is; but he has not the least right to do so. I do not believe there is any lease to either him or M'Carthy. I would, as far as I am concerned, be willing to surrender the whole to Mr. Townsend; but I am only one party concerned.

290.
T. H. Mannion.

Thomas Henry Mannion, esq., re-examined.

3313. Is there any necessity for a fair in Bridgetown town?—I think there is.

3314. If there was a proper market in the town of Skibbereen, would there be any necessity for one in Bridgetown?—The owners of property there would, I think, be very much pleased if it were abolished.

3315. But what would the public think?—If a fair was held properly any where in the town, it would be all the same to the public. As to the markets, the fact is, one proprietor gives no accommodation, and the other gives a great deal less.

291.
E. Townsend, esq.

Edward Townsend, esq., examined.

3316. Where do you reside?—At Whitehall, about six miles from Skibbereen.

3317. Under what patent or authority is the market at Skibbereen held?—There was a patent granted by Charles II., in the year 1696. Under the patent there are held two fairs in the year, and two markets in the week, upon every Wednesday and Saturday. At present, however, there is no market held on Wednesday; Saturday is now the only market-day. Under another patent, granted in the thirteenth year of James I., a market upon another day, and another fair, was granted, but they are not now held.

3318. Who is the owner or patentee of these markets and fairs?—There are three owners; Sir Henry Wrixon Becher is entitled to one-half, and Mr. Richard Wright, of Clover Hill, and myself, are jointly entitled to the other half. The market was let by lease until lately. Sir Henry Wrixon Becher was paid by one party £12 a-year, and Mr. Wright and myself £12 a-year for the other half, by another person. John Shea and Mary Regan are the persons who hold the tolls—they each hold half the tolls, under the owners, for their separate interests, and have arranged with each other to receive the entire tolls every alternate week.

3319. Is there an enclosed market-place and a market-house?—There is a market-house, which is not large enough for the town, and is not used for market purposes; and there is not any enclosed market-place, except a small one for meat.

SKIBBEREEN, 20th November, 1852.

291.

E. Townsend, esq.

3320. What tolls are levied in the markets? [*Witness produces the toll-board of the fairs and markets of Skibbereen*]. I will furnish you with a copy of this toll-board. [*The following is the copy of the toll-board furnished by the witness*] :—

SKIBBEREEN TOLL-BOARD—TOLLS TO BE PAID.

	s.	d.
Cows, each,	0	6
Horses, each,	0	6
Sheep, each,	0	1
Lambs, each,	0	1
Pigs, each,	0	2
Heifers, each,	0	3
Colts, each,	0	3
Calves, each,	0	1
Goats, each,	0	1

	s.	d.
Boats landed,	0	6
Standings, market-days,	0	1
Do., fair-days,	0	4
One or two churns of milk, potatoes, and meal, to pay the sixteenth part of kind, or money.		
Baskets of fish, each,	0	1
Frieze, three pence to the crown.		

SIR WILLIAM R. BEECHER, BART., ALEXANDER O'DRISCOLL, ESQ., } *Proprietors.*

JOHN REGAN, LAURENCE REGAN, } *Collectors.*

3321. Has there been a weighmaster appointed?—Yes.

3322. Are there any public scales in the market?—No; those in the market are private property.

3323. Are the tolls paid by the buyer or seller?—By the buyer of cattle at fairs, and the seller of cattle at markets. The seller of agricultural produce pays the tolls in both fairs and markets.

3324. Is all corn sold in the town sold and weighed in the market?—No; a great quantity of corn goes to the merchants' stores without coming at all into the market.

3325. Are there a sufficient number of scales in the market to weigh all the corn sold in the town?—No; I believe the scales are kept for weighing potatoes, and not corn.

3326. Are the fairs held in the streets?—No; they are held in a fair-green.

John Shea examined.

292.

John Shea.

3327. What is your occupation?—I hold the tolls of the fairs and markets from Mr. Townsend and Mr. Wright, at the yearly rent of £12 a year.

3328. Do you always levy the tolls according to the board?—No; I do not levy so much as one-sixteenth of potatoes. The tolls that are really charged are: cows, 6*d.*; horses, 6*d.*; pigs, 2*d.*; and 1½*d.* is the lowest charge made for any pig, no matter how small. In fact, we take what we can get from any person, but never more than is upon the toll-board, and sometimes less. For heifers we charge 3*d.*, and for colts, 3*d.*; there are never any calves in the fairs; I never charged for a calf, or saw one in the fairs.

3329. What do you charge for calves in the markets?—I believe they charge 1*d.*

3330. Do you charge less than 3*d.* for a yearling heifer?—No; nothing less than 3*d.* is charged for any kind of cattle.

3331. What do you charge for standings in the market?—I charge 1*d.* a-week for standings; and for that I let them put their goods into the market-house for that week.

3332. What do you charge for weighing potatoes?—I have no scale of charges for potatoes; the general charge is 4*d.* for every basket of potatoes weighing six or seven weights of twenty-three pounds each.

3333. Do you ever weigh Indian corn or fish?—I get about 4*d.* a-week for Indian corn; I charge 1*d.* toll for fish; on a fair-day I charge 2*d.* for a large lot of fish, and sometimes only ½*d.*

3334. Do you collect toll on any other than market-days?—No, I do not.

3335. Has there been a weighmaster appointed, and is he sworn under 4th Anne, cap. 14?—There is a weighmaster, but he has not been sworn.

3336. Who do the beams and scales in the market belong to?—They are my own property; I might take them away to-morrow if I pleased.

3337. If a person brought a quantity of potatoes into the town, and did not weigh them, would you charge him for weighing?—I would make him pay if I could. I charge 2*d.* for weighing a cart-load of potatoes, no matter how much is in it.

3338. Do you weigh standing beam or down weight?—I weigh down weight to the ground; the smallest weight I use is six pounds.

3339. Suppose there was standing beam, would you throw out six pounds?—I would.

3340. How do you weigh potatoes?—I weigh them from the carts in weights of twenty-three pounds each; there is no deduction made from the gross weight in potatoes.

3341. Do you keep a book in which you enter the nature, quantity, and price, of all agricultural produce sold in the market; and do you give a copy of such entry to the buyer or seller?—I do not keep a book, such as you describe, nor do I give any docket to the buyer or seller. I chalk the weight of any article on the seller's hat.

3342. How is corn sold?—It is sold by the barrel. I could give no return of the number of barrels sold in the year.

3343. State your system of levying tolls at the fairs.—I levy tolls at two fairs here upon all cattle that are sold, when leaving the fair; I keep men who go about the fair to see who sell, and who do not; I never make them touch, to clear the cattle, any thing, but

SKIBBEREEN, 20th November, 1852.

make them say, upon their conscience the cattle were not sold. I am sure, in spite of all, I do not get paid for all that are sold.

292. John Shea.

3344. Can you say what proportion of cattle going into a fair, are sold?—No, I cannot.

3345. Do you keep a toll-board at each of the gaps?—I do. I wish to state, that there was a complaint made to me, by a man, the last fair, that he was charged 6*d.* for heifers, and I paid him back 3*d.* I employ the most respectable men I can get, for my own sake, and get the money from them in the evening of the fair.

293. Daniel M'Carthy.

Daniel M'Carthy examined.

3346. What is your occupation?—I buy corn in this town; I pay no tolls; it goes direct to the stores.

3347. Do you make any charge for weighing at the stores?—No, I make no charge of any kind.

3348. What is your system of weighing?—We weigh with a cast of the beam; the smallest weight used is seven pounds; the scale need not touch the ground; if the beam were cock-and-cock, I would allow that weight to the farmer; I buy in bulk, not in sacks; I turn the corn into a box, and weigh it without the sacks; I deduct one stone seven pounds from thirty-three stone of oats, as beamage, or seven pounds on each draught of eleven stone. A person weighing at my store could not lose more than one stone seven pounds on a barrel of thirty-three stone of oats. In weighing barley, I deduct, for beamage, seven pounds on the barrel of sixteen stone. Four pounds was at one time the beamage deducted here, but it was raised to seven pounds on account of the dirty state in which the farmer brought his corn to market.

3349. If corn was found dirtier than the sample, would you not, in addition to the beamage, cut it down in price?—No; if corn were purposely made up with dirt, and I attempted to cut it down in price at my stores, the seller would have it taken away to some other buyer. Farmers would generally prefer that I should deduct from the weight of the corn, instead of reducing the price; and when I refuse, they go to other parties.

3350. Have you heard any complaints made of the system of weighing in the merchants' stores?—I have heard it complained of in some cases. The farmers sometimes mix sand with their corn, on account of the heavy deduction for beamage.

3351. If corn was brought into your stores in a perfectly clean state, would you still deduct beamage?—I would.

3352. Then the system of deducting beamage in all cases, is an inducement to the farmer to bring corn in a dirty state?—I fear it has the effect of preventing persons cleaning it properly.

3353. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster, in which all the agricultural produce sold in the town should be weighed and sold?—I would be very much in favour of it; and, with Mr. Mannion, I have for many years endeavoured to get the landlords here to get a proper market established in this town.

3354. Would it not be better to weigh all agricultural produce at standing beam, using one pound as the smallest weight, and abolishing all deductions, taking only from the gross weight of the draught the actual tare of the sack?—I think it would be much better; but at the same time, if beamage is taken off in Skibbereen, the seller can get relatively a greater price than in other towns, where they do not deduct so much beamage. I have known corn sold as high here as at Cork; this may, in some degree, be caused by the rivalry which exists among the buyers. The system of weighing you propose would, undoubtedly, be the most honest one.

3355. Would you be in favour of an assimilation of tolls, weights, and measures, over the whole country?—I would; the more these things are simplified the better.

3356. Have you any further suggestions to make?—Only that there is a great deal of undue influence used by particular merchants to get the corn into their stores; they employ and pay men to persuade the farmers, and their servants, to bring the corn to these particular stores; we call the men so employed sky farmers. I must also add, that I have always found the greater number of the merchants of this town desirous of a public market, and a sworn weighmaster. In 1823 I think there was an Act passed, imposing a penalty upon any seller mixing sand with corn, but the merchant does not act upon it, or he would get no corn to buy.

294. Rich. Becher, esq.

Richard Becher, esq., J.P., examined.

3357. Do you wish to make any observations?—Yes; I wish to state that some very respectable farmers told me that they had to mix sand and gravel in their corn, in order to counterbalance the loss of the deduction that was made for beamage. A public market would protect the honest corn buyer, as well as the farmer; for the farmer would bring in his corn in a proper state, and would be punished if it were exposed in the market in an unfit state. I have been greatly annoyed to find that twenty-one pounds are often taken from a barrel of corn of my own, after I have used every precaution to have it properly cleaned.

3358. Do you not think that proprietors of fairs should be obliged to afford to the public properly enclosed fair-greens, with proper accommodation, in return for the tolls they receive?—I think no proprietor should be entitled to receive any tolls unless proper accommodation was given in return.

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294. Rich. Becher, esq.

3359. Would it not be better to charge a small toll upon all cattle entering the fair, in the nature of a charge for standing, instead of the present toll upon those cattle only that are sold?—I think that system would be much better than the present, and it would do away with the swearing that takes place; I, myself, have often seen a book presented to parties going out of the fair, who said their cattle were not sold.

3360. Do you think there are any persons who bring a pig or a cow for sale to a fair, so poor that they could not afford to pay a small toll of ½*d.* or 1*d.*, entering the fair?—I am sure that, after a little time, they would come prepared to pay it, and would much prefer it.

3361. Do you think the tolls are collected in a proper manner?—No; the parties representing the owners of the markets and fairs have long endeavoured to have the tolls properly collected, but have failed in getting this done. We have tried to get a regular schedule of the tolls and the articles upon which they were payable, and have not succeeded in obtaining it.

3362. The toll-board is now in Court?—Yes; and I perceive turnips, mangolds, and other green crops, are not upon it, and yet tolls are charged upon them.

3363. Would you be in favour of the establishment of a general market, such as I described to a former witness?—I would; it would be a great protection to the farmer.

3364. Would you be in favour of an assimilation of tolls, weights, and measures over the whole country?—I would, decidedly.

3365. Do you not think all agricultural produce ought to be weighed standing beam, with as low a weight as one pound, and that all deductions should be abolished, except the actual weight of the empty sack?—Such would be a great advantage to the farmer who cleans his corn properly, and could not fairly be objected to by any one; the buyers frequently defraud the farmers by putting a bar of iron under the scale with the weights; and I have heard of a merchant having a large nail projecting from the bottom of the scale in which the weights were, by which it became fixed to the ground, and required much more corn to turn the scale.

3366. Do you know of any frauds being practised in the butter market?—I have heard that two gallons of hot water are often mixed with a firkin of butter, to amalgamate different qualities and kinds of butter, and that then it is coloured with anatto, and then sold as first quality; it appears of very good quality, but cannot be used a week after it is opened, as it will not keep.

James F. M'Carthy examined.

295. J. F. M'Carthy

3367. What is your occupation?—I am sworn weighmaster of Bridgetown butter market; I keep my beams and scales upon the bridge that was built by the Board of Works.

3368. What are your charges for weighing butter?—One halfpenny for every draught up to twenty pounds, and 1*d.* from twenty pounds to one hundred and twelve pounds weight; I never charge more than 1*d.* for any one draught.

3369. How is the weight of the firkin in which the butter is packed ascertained?—The firkin is never weighed; the butter is taken out of the firkin and weighed, and a ticket of the weight given, according to which the seller is paid; the buyers generally weigh the butter themselves; there is very little, comparatively, of the butter sold in the market weighed by me.

3370. What quantity of butter do you suppose is sold in this town in a week?—I should say about twelve tons; a great deal of the butter that should be sold in this town goes to Clonakilty; there is 3*d.* toll paid for every small quantity of butter that is sold by poor women in the market, which is brought in by them under their arms in a basket; and 1*d.* toll is charged for a churn of milk.

3371. Do you know of any frauds being practised by the farmers with respect to the butter they bring into the market?—I have known a stone to be put to increase the weight of a firkin of butter, and inferior butter put in the middle of it.

3372. Would you be in favour of a public market and a sworn inspector?—I would. No inspection takes place here; the butter from this goes to Cork to be inspected and qualified.

T. H. Mannion, esq., re-examined.

296. T. H. Mannion, esq.

3373. What quantity of butter do you think is sold in this town?—About ten tons leave this town every week; the principal buyer here sends out three loads every week; it is mostly bought by lump; it is weighed, but not paid for by weight; this is a very good butter market; I took up the business of butter merchant myself and bought butter for exportation; I think all butter should be inspected and weighed by a sworn inspector and weighmaster, before it is sold; if there was a market in which all the butter must be sold, it would be brought in in much larger quantities.

Jeremiah Crowley, esq., examined.

297. J. Crowley, esq.

3374. Have you any information to give as to the manner in which the markets are conducted here?—Yes; I have to state that I know of a toll of 1*d.* being charged a woman who brought small fish into this town on a Sunday morning; she was wretchedly poor; and as she had not a penny to pay the collector he seized one of the fish this poor woman had carried in twelve miles on her back, and would have kept one only I paid the 1*d.* for her. I have heard several complaints of a similar nature.

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298. John Shea.

John Shea re-examined.

3375. What do you say to the charge against your collector of levying this toll against a poor woman on Sunday?—I never heard of any of the collectors doing such a thing, nor did I ever give them authority to do so.

299. L. J. Fleming, esq.

Lionel J. Fleming, esq., J.P.—I beg to suggest to the Commissioners that authority should be given to a sworn weighmaster to weigh all empty firkins and brand the weight upon them, allowing for soakage; as it is impossible for a merchant, under the present system, to know what ought to be allowed for the cask when weighing a firkin of butter.

300. M. Downing, esq.

M. Downing, esq., examined.

3376. Have you any statement to make to us?—I beg to state that I know a case of a weighmaster who had not sufficient weights, and used to get into the scales himself; I have myself paid for weighing in this manner. I beg also to draw your attention to the riots that take place upon the quays, from the manner in which the tolls are collected from the boatmen by the collectors, who often seize their oars, which causes riots and fighting.

BANDON, 22nd November, 1852.

Bandon, November 22, 1852.

301. Alex. Swanton, esq.

Alexander Swanton, esq., examined.

3377. Where do you reside?—I live in Bandon; I am agent to the Duke of Devonshire, who is the patentee of the fairs and markets held in this town.

3378. Under what patent or authority are these markets and fairs held?—Two fairs to be held on the south side of the town, and Saturday's market, belong to the Duke of Devonshire, under a patent granted in the seventh year of James the First. There are two other fairs, which the Duke of Devonshire is authorized to hold upon the north side of the town, and a market on Wednesday, under a patent granted in the eleventh year of James the First.

3379. What are the market-days?—Wednesday and Saturday; but the Wednesday's market is never so good as Saturday's.

3380. What fairs are held in this town?—There are four old fairs held; and some few years ago it was represented to the duke, that monthly fairs would be advantageous to the town, and therefore ten other fairs were established, on the first Wednesday in every month, except May and November, in which fairs are held under the old patent. Thus there are ten new monthly fairs, and four old ones, held in this town in the year. Two of the old ones being held in the end of their respective months do not interfere with the new ones in the same month, as the new ones are always held on the first Wednesday in each month.

3381. Are the tolls of the fairs or markets leased?—No; the markets and fairs are held by the Duke of Devonshire, who is the owner of them, and of nearly the whole of this town.

3382. What tolls are levied in the fairs and markets?—There are no tolls at present paid in the fairs or markets. Some time ago a good deal of agitation existed on the subject of tolls, and it was said that legislation on the matter would take place, to do away with tolls everywhere. The Duke of Devonshire, in order to facilitate such a course, stopped levying tolls in six or seven market towns which belonged to him; but his right to do so still exists.

3383. How many years ago is it since tolls were levied by the Duke?—I should say about twenty-one years since any tolls were collected by him. They never have been levied since I became agent. The toll-board has, however, always remained posted up to the present time. The monthly fairs were established free of toll.

3384. Are there enclosed market-places?—There are; for vegetables, fish, milk, and meat; in fact, for every thing, except corn and butter, which are sold in the street. The potato market and house could, however, be used for selling and weighing corn.

3385. Where is the corn generally weighed?—It is generally weighed in the merchants' stores.

3386. Where is all the other agricultural produce sold and weighed?—Nearly all the potatoes sold in this town are sold and weighed in the market; hay and straw is mostly sold in the streets. I have always given strict directions, that whatever was sold in the market should be weighed in it; but I cannot say whether such orders are implicitly followed.

3387. Has there been a sworn weighmaster appointed under the Statute of 4th Anne, cap. 14, and are there a sufficient number of beams, scales, and weights, in the market?—There is a weighmaster in the potato market, who has, I think, been sworn; but I do not know if he was sworn under that Statute. There are three beams, scales, and sets of weights in the potato market, and one in which corn is weighed in the market-house. The weighmaster was, I think, sworn about twelve years ago, before Mr. Sealy, a magistrate. The weighmaster's name is Swiney; he succeeded his father-in-law as weighmaster. There are three persons appointed to weigh potatoes in the potato-market.

3388. What are the charges for weighing in the market?—The charges authorized by me are, 3*d.* for every load of potatoes and turnips, which merely pay the persons employed; and his Grace derives nothing from the markets, although they were built and are kept up by him. The weighmaster keeps all the fees he receives. For lesser complements than a load the charge is from a halfpenny up to 3*d.*, but never more than 3*d.* for any cart-load. A halfpenny is charged for weighing any draught of corn, no matter what weight, whether great or little. There are no other charges made that I am aware of. The weighmaster, and the persons weighing in the market, have no salary, but keep the fees paid for weighing. The weighmaster has, besides, a house in the corn market, rent free.

3389. Does the weighmaster keep a book, from which he could furnish the nature, quantity, and price, of all agricultural produce sold for seven years in this town?—I think he could. If I had known the exact nature of the information required by the Commissioners sooner, I would have fully informed myself upon these matters; but I did not receive the notice of this investigation in sufficient time. However, I do not think the books would show more than the agricultural produce sold and weighed in the market, and a large portion never enters the market for sale. At the last market there were, I understand, fifteen loads of potatoes sold and weighed in the market. The loads of potatoes that passed through the market were, from January, 1851, to January, 1852, 4,015 loads; from January, 1852, to the 5th of November, 3,007. The corn that was weighed in the corn market, from January, 1851, to January, 1852, was, 4,570 draughts; and from January, 1852, to the 5th of November, 2,858—all these passed through the market; but a large quantity, in addition, was sold outside the market, in the streets.

3390. Could you not oblige all persons to sell and weigh in the market?—I could, by the patent. The Duke of Devonshire has never given up his rights under the patent; he keeps the markets locked up; they are his private property; no person could use them, without being allowed by the Duke. A toll-board has also been always posted up, although the tolls upon it are not levied. The collection of tolls under the patent are merely suspended, and not given up by him. The Duke also appointed a clerk of the market, under a patent granted in 1611, in the reign of James the First.

3391. Is there a butter market held here?—There is no enclosed butter market. The butter is generally sold in the streets, and weighed by the parties who buy it.

3392. Can you state what proportion of the corn sold in the town comes into the market?—I cannot form any idea of the exact quantity, but I know a very small proportion does.

3393. If all the corn sold in the town was sold in the market, would there be sufficient accommodation in the market for it?—I do not think there would,

3394. Do you not think the system of weighing at the private stores of the merchants affords facilities for frauds?—I do. I think it would be very desirable to have all agricultural produce coming into a town, brought into the public market and weighed there.

3395. Would you be in favour of an assimilation of tolls over the whole country, and that what is called in a patent reasonable toll should be defined by Act of Parliament?—I am not much in favour of tolls being charged in general, but I feel that it would, in most cases, be necessary to levy some small toll, in order to pay the expense of keeping open a proper market, and an efficient staff of officers. I am not prepared to say what would be a reasonable toll. I think the present system very objectionable, but am unable to say what is the best means of improving it. I think, however, the markets could be maintained, and a proper superintendence supplied, if a fair toll were levied.

3396. Where are the fairs held?—The fairs are held on a hill at the south side of the town; and on the north side, they are held on an open space of ground opposite to the barracks, and surrounding the meat market. The cattle, however, come down into the town, but it is not at all necessary that they should do so, as there is room enough for them in the open space I allude to; and some people object very much to having them in the streets; some ladies, in particular, object. The fair-green at the other, the north side of the town, is sufficiently large for all the cattle brought to it; and there would be also upon this, the south side, sufficient room, if the police would keep the cattle in the proper place, but some of the shopkeepers would object to this.

3397. Are tolls charged at the fairs?—No.

3398. Do you not think it would be better to charge some small toll upon all cattle entering a fair, and provide an enclosed fair-green and proper accommodation, instead of as at present, charging no tolls, and providing very little accommodation?—I think levying tolls is objectionable, and that the accommodation at present is very good; but I do not think you could expect any proprietor to provide such accommodation as you speak of, unless some toll was charged.

3399. Bandon seems to be better off than most towns; the proprietor provides some accommodation for the fairs, and levies no tolls; but do you not think, as a general rule, that it would be better for the public to have an enclosed fair-green, and moderate tolls levied on all cattle entering it?—I do.

3400. Do you not think there ought to be an enclosed market for corn, with proper weights and scales?—I think a great deal of corn could be sold and weighed in the present potato market. The Duke keeps up the markets, and the beams and scales in order, that there may be one proper set for the townspeople to adjust theirs by.

3401. Is there an inspector of weights and measures for this county and district?—There is an inspector of weights and measures, but he has only just been appointed, and great complaints are made of what he charges for stamping the weights; he is, I believe, in the town at present. I think it right to state the Duke is the patentee of two fairs, and a

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301.

Alex. Swanton, esq.

market every Thursday in Inniskeen, in this county, under a patent granted by James I., in the 18th year of his reign; and that the collection of tolls at Inniskeen was suspended at the same time as it was here, and the duke at present levies no tolls at Inniskeen. There is no market-place there, but the street there is, however, used as a green for holding the fair in.

302.

Jacob Sweeney.

Jacob Sweeney examined.

3402. What is your occupation?—I am weighmaster of the market. I was appointed by the Duke of Devonshire, and has held the office for eight or ten years.

3403. Have you been sworn under the 4th of Anne, cap. 14?—I have. I was sworn by Mr. Sealy, the magistrate. The oath was not to wrong any person; I do not think there was any writing on the occasion.

3404. What is the charge for weighing in the market?—From $\frac{1}{2}d.$ to $3d.$ a load upon potatoes, and $\frac{1}{2}d.$ for a draught of corn.

3405. What is the system of weighing in the market?—In corn we weigh down weight, and use no smaller weight than two pounds; the scale must touch the ground, I would throw out two pounds from standing beam, two pounds from each hundred-weight, and two pounds each draught, are deducted from the gross weight of corn, for tret and beamage. We do not deduct the weight of the empty sack, as the buyer does this; we only give the gross weight, we make no other deduction.

3406. Do you keep a book, in which you enter the nature, quantity, and price of the agricultural produce sold and weighed in these markets, and does the buyer or seller receive a copy of such entries?—I keep a book, in which I enter the date, the seller's name, and the gross weight of the corn, but not the price. I do not in general deduct the tret or beamage, unless I am asked; I give a ticket to the seller which is a copy of what I enter in my book.

3407. You could, then, I suppose, in case the seller lost the ticket you gave him, give him a duplicate?—I could.

3408. State your system of weighing potatoes.—In weighing potatoes, we only weigh them in draughts of twenty-three pounds or eleven pounds and a-half; I have not a five pound three-quarters weight, as we very seldom weigh less than eleven pounds and a-half of potatoes.

Mr. Swanton.

Mr. *Swanton*.—I beg to state, that I have directed the weighmaster to weigh nothing under half a weight of potatoes—owing to the system which had very generally prevailed; I allude to a habit some persons had of going into the market and purchasing potatoes in small quantities, although these parties retailed them afterwards. This plan was adopted by these jobbers, because the potatoes were by this means weighed down weight on the smaller quantities, and therefore, these people in purchasing a great many small quantities separately, got a much greater quantity for the same money, than if they bought one large quantity. To put a stop to this system, I told the weighmaster to weigh nothing less than half a weight of twenty-three pounds, and therefore, the weighmaster does not keep the proper weights for weighing a quarter of a weight.

Jacob Sweeney.

Jacob Sweeney's examination continued.

3409. If a person wished to have five or six sacks of potatoes weighed together, would he be able to get it done in the market; or would he be obliged to divide them into weights of twenty-three pounds each?—He would be able to weigh the quantity altogether if he wished it in the scales in the market-house. In weighing potatoes, we weigh down weight, and call out the exact weight, whatever it may be. The same deductions are made in weighing potatoes as in corn. One potato will bring the potato-scales from standing beam to the ground; I have seen one ounce weight do this. There are three women employed to weigh potatoes in the market. They keep no book, or give no account of what they receive; I never charge more than $3d.$ for weighing a load of potatoes, no matter how large it is.

3410. Do you ever weigh butter in the market?—Yes. I sometimes weigh it; but only weigh a very small proportion of what is sold in this town.

3411. State your system of weighing butter?—Half a pound is the smallest weight used, we require only a turn of the cock, and deduct no beamage.

3412. What is your system of weighing wool?—We weigh wool at standing beam with a pound weight, and charge only a halfpenny for weighing each sack, no matter how large it is.

3413. What does a barrel consist of?—A barrel of wheat consists of twenty stone; a barrel of oats, of thirty-three stone; a barrel of barley, of sixteen stone. The large barrel of potatoes consists of eighty-four, and the small barrel of forty-eight weights of twenty-three pounds each.

3414. What does a stone weigh?—It weighs fourteen pounds, except in the case of wool or feathers, which weigh sixteen pounds to the stone.

3415. Does a hundred-weight always consist of 112 pounds?—It does.

3416. Is there an inspector of butter in this town?—No; it is generally weighed and qualified by the person who buys. There is a very large quantity of butter sold in this town.

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302. Jacob Sweeney.

3417. Have you heard any complaints of the mode of weighing in the merchants' stores?—No; I have not.

3418. Can you form any idea of the quantity of corn sold in this town?—No; the book I keep would tell the quantity of corn weighed in the market, as well as the number of draughts, but not the entire of what is sold in the town. I could give the above particulars for one or more years, but could not furnish statistics such as are shown in the book you produce, as kept by the weighmaster of the corn market.

3419. How often are the weights and beams adjusted?—About two or three times in every three months.

3420. What weight would it take to bring down the scale from standing beam to down weight in heavy draughts?—About two pounds would bring it to the ground.

3421. Have you got a copy of the toll-board at present posted up in the market?—I have, and will furnish one to you. [*The following is the copy of the toll-board furnished by the witness.*]

A Schedule of the Tolls and Customs payable to his Grace the Duke of Devonshire, out of the Town of Bandon and Precincts.

	s.	d.
Corn sold or offered for sale, } 32nd Oatmeal and potatoes, } part,		
For every pedler or hawker, on fair-days,	0	2
For every do. do., on market-days,	0	1
For every standing, on fair-days,	0	4
„ do., on market-days,	0	1
„ horse, cow, bull, or mule, sold,	0	6
For each yearling colt or filly, do.,	0	3
„ pig, sheep, or goat, do.,	0	1
„ calf or lamb, do.,	0	0½
„ cow-hide, horse-hide, or kip, do.,	0	1
„ dozen dry or wet calf-skins, do.,	0	2
„ gallon raw honey offered for sale,	0	1
„ Hive offered for do.,	0	2
For every crown received for frieze or flannel sold,	0	3
For every twenty bandles by wholesale,	0	2
For each cart-load of fish offered for sale,	0	2
„ horse-load do., do.	0	1
„ load of lemons or charcoal,	0	1
„ barrel of lime for sale,	0	1
„ basket of fowls, on market-days,	0	1
„ goose or turkey, on do.,	0	0½
„ stand of do., on fair-days,	0	4
„ cut of bandlecloth, from one bandle upwards,	0	0½
For every firkin of butter, offered for sale,	0	1
„ firkin cut in the market,	0	4
„ crock or keg,	0	2
„ stone of wool offered for sale,	0	1
„ stone of tallow, do.,	0	1
„ stone of feathers, do.,	0	1
For each load of skim-milk,	0	0½

Any person detected purchasing goods out of the market, will be prosecuted as the law directs.

Mr. Stewart Trisilian, and his Assistants, *Collectors*.

William Connell Sullivan examined.

303. Wm. C. Sullivan.

3422. What is your occupation?—I buy corn in this market.

3423. Where do you weigh the corn you purchase?—In my own stores. Most of the corn sold in this town is weighed in the private stores of the merchants. I should say about seven-eighths of it.

3424. What quantity of corn is sold in this town in one year?—I should say about sixty or seventy thousand barrels.

3425. Do you make any charge at your stores for weighing or porterage?—No.

3426. State the system of weighing at your stores.—We weigh down weight; the smallest weight is one pound, and we deduct the exact weight of the sack. We deduct seven pounds from the barrel on wheat, and two pounds to the draught. In barley the deduction is four pounds to sixteen stone of barley. In oats there are two pounds deducted from each hundred-weight, and two pounds from each draught. These are, I believe, the deductions generally made in the private stores in this town.

3427. Have you heard many complaints of the system of weighing in the private stores?—I have heard complaints, but think the weighing in the merchants' stores is generally correct. At the same time, I quite agree with the former witnesses, that all the corn ought to be sold and weighed in the public market; such would be much better both for the farmer and the buyer.

3428. Do you not think that all corn should be weighed at standing beam, using as small a weight as one pound, and making no other deduction from the gross weight of the draught, except the actual weight of the empty sack?—I think it would be the most correct system, and could hardly be objected to; at the same time, as to the beamage, I would suggest, that the farmers bring in their corn so dirty that some allowance ought to be made for this.

3429. May not one of the causes of the farmers bringing their corn in a dirty state, be the knowledge that there will be a deduction for beamage, no matter how clean it is?—Yes; I think it very likely that the deduction for beamage may have this effect. I think the infliction of a penalty upon all parties adulterating their corn, with gravel, sand, or any thing else, would prevent them doing so. The poorer farmers, for want of proper barns to thresh their corn, cannot bring it in perfectly clean. Abolishing beamage would, I think, come to the same thing to the purchaser, but would be a great advantage to the farmer, and on the whole, for every reason, I would be in favour of doing away with beamage

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303. Wm. C. Sullivan.

altogether. As to the system of weighing potatoes in this market, I hope you will allow me to mention a circumstance that occurred to myself. I sent some potatoes to be sold in this market, and thought my man did not bring me back a proper return. I sent thirty-six weights of twenty-three pounds each, and he only brought me back payment for thirty weights. I blamed the man very much at first, but found he was not in fault, and that it was to be accounted for from their being weighed in small quantities, and dead weight being allowed on each quantity weighed, however small. I lost one-sixth of my potatoes by this system; I complained to Mr. Swanston of this, and he told me I had no particular reason to do so, as he himself always calculated upon losing one-sixth of the potatoes he sent to market, by the system of weighing them.

3430. Would you be in favour of an assimilation of tolls, weights, and measures over the whole country?—I would; but I think excessive tolls should be guarded against. If an Act of Parliament defined what were reasonable tolls, this objection would be done away with. I should say 2*d.* a barrel on wheat, and 1*d.* a barrel on other grain, would not, I think, be too much to charge for toll.

3431. Would you be in favour of a general market, such as I described to a former witness, being established in the different market towns in Ireland?—I would; and I think there should be a sufficient toll allowed to the proprietor to enable him to pay the expenses, and maintain the market in a respectable manner, but not sufficient to allow him to derive any profit from it. I would compel all the buyers and sellers to go to this market, which ought to be opened and closed at stated hours.

3432. Have you any observations to make with respect to the butter market?—There is no proper butter market here. The butter sold in this town is brought in chiefly in crocks by the country people; Mr. Desmond is the chief buyer here; very little is bought by any one else; it is prepared by him for the English market; I do not know how he prepares it. From there being no proper market accommodation for the sale of butter, the people are exposed, while selling it, to the inclemency of the weather in the streets; and I am sure if they had shelter, and proper accommodation, the butter market in this town would be very much improved.

3433. Do you not think that the butter sold in the town should be inspected, weighed, and qualified by a sworn inspector?—I do; I do not see why it should not be sold here as well as in Cork, under proper regulations. I commenced buying butter, but as I had no means of ascertaining the qualities of the butter, I did not continue in the trade.

3434. Have you any other suggestions to make?—I think that all the present markets should be concentrated, and brought into one place, as they are too scattered at present; and if they were close to each other it would be an advantage both to buyers and sellers. The system of employing sky farmers (as we call them) ought to be put a stop to by Act of Parliament. These people play into the hands of the buyers of grain, and are paid by the merchants for bringing corn to their stores, the competition among the merchants is so great in this town. In the end, as a matter of course, the farmer pays for the sky farmer. I have also to remark, that there is a very great want of a weigh-bridge in this town. If a farmer has eight or ten tons of hay, he is obliged to go to one of these sky farmers, who tells him "I will get you a purchaser for it." It has then to be weighed, for the farmer has no scales of his own; and he has to weigh it by the hundred-weight at a very great loss of weight and time. With regard to imposing tolls upon all cattle entering the fairs, by obliging the proprietor to provide an enclosed fair-green and proper accommodation, I think the farmers would prefer the fairs being conducted with the present accommodation, and no tolls to be charged, as at present.

304. Alex. Swanton, esq.

Alex. Swanton, esq.—With regard to what has fallen from Mr. Sullivan, as to the system of weighing potatoes in the market, I beg to observe, that until lately the scales in the market for weighing potatoes were not good; but latterly I have got the best scales that can be procured in Cork, and have had them put up in the market, instead of the old ones. It is the custom to weigh potatoes by the weight, but they can have them weighed by the sack if they require it. Mr. Sullivan's potatoes were new potatoes, which are always bought in small quantities by parties who retail them about the town. What Mr. Sullivan states might, no doubt, be the case if the size of the basket in which they were weighed was very small. It was to prevent this occurring that I told the weighmaster not to weigh so small a quantity as a quarter of a weight, nor less than half a weight. With regard to the complaints that were made about the fairs, I am of opinion it would be injurious to remove them out of the town; the shopkeepers would object very strongly to have it done.

3435. Do you not think, however, as a general rule, fairs ought to be held in enclosed fair-greens?—I dare say they ought; but when I got the monthly fairs established, I thought the present site the best for the convenience of persons coming into the town, being in the neighbourhood of the hotel, and receiving shelter from the meat market. Authority ought to be given to the proprietors to regulate the markets and fairs, and an Act ought to be passed to enable them to do so. I am quite of opinion, also, that the weighmaster should be obliged to keep a proper book, by which he could furnish statistical returns if required. I feel that a public market and public weighing are the only securities to the farmer against fraud, and, therefore, I would oblige every thing to be sold and weighed in the public market.

BANDON,
22nd November, 1852.

Henry Hennick, esq., examined.

305.
Henry Hennick, esq.

3436. Where do you reside?—I reside at Woodlands, near Bandon.

3437. Can you add any thing to what the witnesses have said?—I think it is very wrong that a farmer should be punished (as he now is), if he cleans his corn properly, by having heavy beamage deducted from his corn for dirt which is not in it. The present system encourages a slovenly mode of cleaning corn, and is a direct permission not to do it properly.

3438. Would you be in favour of the establishment of general markets, such as I described to a former witness?—I would; as also of your suggestion of weighing at standing beam, with one pound, and abolishing all deductions unless the actual weight of the sack; and an assimilation of tolls, weights, and measures over the whole country. I have no doubt that much more corn would be weighed and sold in this town if there was a public market for it. The fact of weighing in the private stores of the merchants, destroys all confidence on the part of the farmer.

3439. Do you not think that every proprietor of a fair or market should lose his tolls unless he gave proper accommodation in return?—I think so.

3440. Would it not be better to levy a small toll upon all cattle entering a fair, instead of the present system?—I think the fairs here are held in a very good place, and are very well as they are in every respect.

306.
Wm. Spillan, esq.

William Spillan, esq., examined.

3441. Have you any observation to make?—I beg to state that I consider the simplest mode of weighing the best for farmers, who are no scholars, and would find it difficult to calculate what they were to receive under the present system of weighing here. I myself have very often found it no easy matter to ascertain what I ought to receive for corn sold and weighed at the stores. I am of opinion that corn ought to be sold every where by the stone, which would make it easy to calculate what amount of money ought to be received for any quantity.

3442. Do the merchants pay for the odd pounds under half a stone?—They do; the merchant, if the farmer likes, gives him a ticket, which shows the number of barrels sold, and generally the allowance made for tret and beamage; the beamage, however, does not in all cases appear upon the ticket; it is given at some only of the stores. The merchant's weighmaster sometimes calls out the weight two pounds less than it is, thus deducting the beamage, and does not in that case enter it upon the ticket. I wish also to observe, that I quite agree with a former witness, as to the inconvenience the farmers are put to, from the fact of there being no weigh-bridge in the town, and as to the necessity of having one established here as soon as possible.

307.
John Desmond.

John Desmond examined.

3443. Where do you reside?—In Bandon.

3444. What is your occupation?—I buy butter in this market—as much as 100 firkins, sometimes, in the week. I buy it fresh, and salt it for exportation.

3445. Do you not think it would be desirable to have a proper butter market established, under a proper inspector, and that all butter sold in the town should be sold and weighed in the market?—No; I would much prefer the present system.

308.
Thomas Gash, esq.

Thomas Gash, esq., examined.

3446. Do you wish to add any thing to the evidence of the witnesses examined?—Yes; I think if all butter were obliged to go into a properly regulated butter market, it would be a great advantage. It is bought here at the same price as in Cork, and therefore something must be done to it, to enable it to compete with the Cork butter, as it always goes for sale there. It must therefore be adulterated by water and salt, or something else, to increase its weight, as the profit realized can be only by an increase of weight, there being no other difference in the price of butter at the Cork and Bandon markets. It is also, I understand, coloured here, besides the water being added. These practices show the want of a proper butter market and butter inspector; and the market, besides, gets a bad name.

Cork, November 23, 1852.

CORK,
23rd November, 1852.

Ezekiel Webber, esq., examined.

309.
Ezekiel Webber, esq.

3447. What is your occupation?—I am secretary to the trustees of the corn market, in this city.

3448. Under what authority is this market held?—The corn market here was established by a special or local Act of Parliament in the third year of George IV. cap. 79. By that Act the market is vested in thirty-two trustees, of which the mayor and sheriff for the time being are ex-officio members; six must be town councillors, appointed by the Town Council of the city of Cork; six must be merchants chosen by the Town Council; nine more are merchants chosen by the City Grand Jury; and nine are to be landholders, chosen by the County Grand Jury. This market is held for the sale of corn, hay, straw, green

CORK, 23rd November, 1852. 309. Ezekiel Webber, esq.

food for cattle, and dead pigs. None of the other markets in Cork are under these trustees. The trustees are authorized by the Act to levy tolls in this market: upon wheat, $2\frac{3}{4}d.$ per barrel of twenty stone; on barley, $1\frac{1}{2}d.$ per barrel of sixteen stone; on oats and rye, $1d.$ per barrel of fourteen stone; on hay and straw, $10d.$ per load; and upon each dead pig, $1\frac{3}{4}d.$; no other charge is made, either for weighing or any thing else. There is an inner and an outer market-place; and the two markets are intersected by a range of scales, amounting to twenty sets of beams, scales, and weights. The farmer weighs his corn in the passage, gets a ticket of the weight, and then goes into the inner market and sells his produce in the best way he can. Any person can buy or sell at his own stores, but must pay the market tolls, even if he does so. The limits of the market extend over the city and its suburbs. The corn being thus weighed at the entrance of the market, the farmer receives a ticket, containing the number of sacks, the number of the scales at which it was weighed, and the name of the seller; the purchaser's name and price, of course, remain in blank, to be put on afterwards. At nine o'clock a bell is rung, and the farmer goes into the Corn Exchange with a sample of his corn, and when it is sold, the purchaser's name is entered upon the ticket. There is nothing to prevent the farmer selling his produce himself; but they generally employ brokers, as they are generally too ignorant themselves to be able to dispose of their own produce. The farmer then goes into the collector's office, and his ticket is checked, and entered in the books of the office; the ticket is then stamped, after which the farmer pays the toll, and produces the ticket to the man stationed at the gate, who would not let him out without it. The toll is levied on the gross weight of the sacks and corn. After the corn is weighed, there is a deduction of two pounds per draught, beamage, and two pounds per hundred-weight, tret, from the gross weight, upon which the toll is not calculated.

3449. Has there been a sworn weighmaster appointed under the provisions of the 4th Anne, cap. 14?—No; there is a weighmaster, a clerk, and two assistants at each pair of scales, but the weighmaster is not sworn.

3450. What is the system of weighing in the market?—We weigh with a cast of the beam, but the scale need not touch the ground, and we use a one pound weight in weighing; the gross weight is what is entered upon the ticket, the sack is tared by the merchant, and the price is not made up till that is done; the merchants weigh the corn after it comes to their own stores. I have heard that there is sometimes a discrepancy between the weight returned at the stores and the market ticket; the two pound beamage is taken off in the scale as soon as all the corn is totted up; two pounds per hundred-weight is also deducted for tret. This beamage and tret are both deducted from the gross weight before the sacks are tared; these same deductions are made upon wheat, oats, and barley, and the merchant afterwards deducts the weight of the sack; some merchants take the corn at the weight upon the ticket, and some weigh it over again, and have found frauds attempted by the corn having been taken out of the bags on its way from the market. There are no other deductions.

3451. Is corn sold here by the barrel?—Yes; a barrel of wheat consists of twenty stone; a barrel of oats, of fourteen stone; a barrel of barley, of sixteen stone; and a barrel of rye, of fourteen stone. No other grain is sold in this market.

3452. Does the farmer often sell his own corn in the market?—No; he usually employs a broker to sell it for him.

3453. Are the brokers in general a respectable class of men?—Some of them are not at all so; but there are some who are respectable.

3454. What charge do they make for selling?—The charge is $6d.$ a barrel for wheat, and $4d.$ a barrel for barley or oats. They get the sample from the farmer, and the ticket, and go into the Corn Exchange and sell the corn to the merchant, and are paid their brokerage when the corn is delivered. The farmers are so ignorant, some of them cannot even speak English, so that they are glad to employ the brokers to sell their corn, as they cannot do so themselves; the trustees of the market have nothing to say to the brokers, nor any control over them; the brokers are paid by the merchant.

3455. But does not the brokerage ultimately come out of the farmer's pocket?—I suppose so; indeed if the farmer sells without the intervention of a broker, the merchant will sometimes add the amount that would have been paid for brokerage to the price he pays him for the corn; but the farmer must make this arrangement at the time he sells, or the merchant will not add the brokerage to the price paid.

3456. The farmer then pays $8\frac{3}{4}d.$ in money on every barrel of wheat sold by him, besides the deductions in weighing?—He does; the farmers much prefer to sell through a broker, and will not listen to any advice against their doing so.

3457. Does the merchant pay for the odd pounds less than half a stone?—I cannot say.

3458. What were the receipts of this market for the whole year?—Last year the toll on the corn sold in the market produced £2,046 $17s.$ $1\frac{1}{4}d.$

	£	s.	d.
Ex ship, or imported corn,	594	17	6
Hay and straw,	433	4	9
Green food, for cattle,	58	4	6
Dead pigs,	134	3	$5\frac{3}{4}$

making a total of £3,267 $12s.$ $4d.$ gross receipts. I can also give the number of barrels if you wish it.

3459. How is foreign corn weighed?—It is not weighed at all; the trustees finding that

they had so little trouble with it, only charge the reduced tolls of 1*d.* a quarter upon wheat, ¾*d.* on barley, and ½*d.* on oats, imported to this town; if it is ship corn, it does not matter whether it comes from abroad or from any seaport at home.

3460. If you do not weigh it, how do you ascertain the quantity imported?—In the first place, we take it from the entry made at the Custom-house, and I then send the return to be signed and certified by the merchant, who returns the exact quantity, and then I send a receipt for the money. Ship corn goes direct to the merchant, and we have no trouble or expense with it in the market.

3461. Does the amount certified by the merchant always agree with the Custom-house return?—No; sometimes there is a difference, as a cargo will not turn out as much as the entry gives; we also keep a man employed on the quay to check the quantity. There is also a further deduction of twenty-five per cent. from the charge upon ship corn, for prompt payment, as the merchant is often not the owner of the corn, but it is only consigned to him.

3462. What value do you give for this toll upon imported corn?—None; there is no other toll charged upon ship corn unless it is sold; if it is re-shipped or consumed, without being sold, there is a drawback allowed.

3463. What staff have you employed in the market?—A secretary, collector, and clerk of the market, in one person; a superintendent to oversee the market, and keep every thing correct there; eleven scales' clerks; eleven weighmasters; two office clerks, and thirty-eight porters; two gate-keepers; one store-keeper; two market policemen; two errand boys, and one night watchman; we have twenty sets of beams, scales, and weights, and two weigh-bridges. Each scales' clerk and weighmaster work two beams and scales; the weighmaster has an office between two pair of scales, and works them both easily. There are two weighing machines.

3464. Do you know of any frauds being practised by farmers?—Formerly there were a great many frauds practised by them, but since the present market was established there have not been near so many; the centre of the bags used to be filled up with dirt, and stones and weights used to be put into the middle of the loads of hay. I never hear of these now; the only fraud I know of at present existing, with respect to corn, is selling by false sample; the broker cleans the sample delivered to him by the farmer, and then sells the corn by it to the merchant, and the usual result is that the price is reduced to the farmer; this trick is generally practised by the broker, but in some cases he is assisted in it by the farmer. I must say, however, that some of the brokers would not be capable of any such fraud, as they are exceedingly well-conducted men. The trustees of the market have endeavoured to discourage the dishonest brokers, by giving special facilities to the well-conducted for selling. The trustees have no power to prevent the dishonest brokers selling; but they have posted up in the market a list of the more respectable brokers, in order to throw the business as much into the hands of the latter as possible.

3465. Do you consider the brokers a necessary body?—I do; and if they were under proper control, I think they would be a very useful body.

3466. Would you have them paid as high as at present?—I do not think, if the number were limited, as it would be if they were under the control of the trustees, that they need be paid so high as at present.

3467. Do not you think the market could be worked without them?—No; there are many countrymen coming in to sell, too ignorant to transact their own business; and some of them cannot speak English.

3468. State the system of weighing hay and straw.—Hay and straw, after they are sold, are weighed on the weigh-bridge, and charged ½*d.* a hundred-weight. They are not charged this toll unless they are weighed, and they are not weighed unless they have been sold. Seven pounds is the smallest weight used at the weigh-bridges. The cart is tared afterwards, and its exact weight deducted. Frauds were sometimes practised by the farmer in this way:—After a farmer had weighed a large load of hay or straw, he would slip it aside and substitute a smaller load, which he would deliver with the ticket of the large load. Tickets have also been altered after leaving the market, and in consequence, there is a caution on the ticket to the owner, not to let it out of his sight.

3469. Do you make up on the ticket for hay or straw the amount to be paid by the purchaser?—No; we merely put the price per hundred-weight, of the hay or straw.

3470. How often is the cart tared?—Every day it comes into the market; the ticket is, however, generally delivered without the tare of the cart. I have known the sides of a cart removed for the purposes of fraud; and parties have been punished for various frauds. It is, generally, found impossible to get parties to prosecute, although the trustees have often promised to pay all expenses of the prosecution.

3471. Do you not think the issuing the ticket without the tare of the cart affords facilities for fraud, by parties inserting a false tare for the cart?—I do not think it does, as the purchaser is always present when the ticket is given.

3472. Is the hay market enclosed and covered?—It is enclosed; but the hay cannot go under cover until the corn market is over.

3473. Are the present number of weigh-bridges sufficient?—They are.

3474. State the system upon which the pig market is carried on.—The dead pigs are brought in, and weighed in the corn scales; but a great number of them are not weighed at all in the market, as the merchants and owners think it is a great injury to the pigs to disturb them from the carts, and prefer to take them to the stores direct. If they wish, however, to weigh them in the market, we do it; but they are not obliged to weigh them in it. Toll must, however, be paid by them whether they are weighed or not.

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309.

Ezekiel Webber, esq.

3475. How do you ascertain the toll to be charged, without weighing?—The toll is charged upon each pig, irrespective of its weight.

3476. What deduction is made in weighing pigs?—There are two pounds deducted for beamage, two pounds for tretage, and two pounds for cleaning; in all, six pounds on each pig, whether large or small.

3477. Have you heard any complaints of the weighing at the merchants' stores?—Formerly there were complaints made, but I have not heard any lately.

3478. Is there any objection to weighing pigs at the market?—We have no objection; but it injures them.

3479. How does it injure them?—The pork is said to be made softer the oftener it is moved. The seller or jobber is the person who has the greatest objection to have them weighed in the market, consequently the practice is not to have them weighed there.

3480. If they were weighed in the market would the merchant take them?—He would.

3481. When a pig is weighed in your market, do you deduct six pounds in weighing each pig?—We deduct four pounds, and the merchant deducts the other two pounds for cleaning at his store. We have nothing to do with the latter two pounds. No person, however, wishes to have his pig cut in our market at all.

3482. What is your system of weighing green food in the market?—We charge $\frac{1}{2}d.$ a hundred-weight. The system is exactly the same as for hay and straw. I never heard of any frauds connected with them.

3483. Have you any observations to make with regard to these markets?—I wish to add, that I consider the brokers a great convenience to the farmer; they often save him the trouble of coming into town to sell his produce, as he can write to the broker to sell for him. The broker, in selling hay and straw, often gets 6*d.* from both buyer and seller. The brokers used to be, formerly, buyers, but I am not aware that they are so now.

310.

Wm. J. Shaw, esq.

William James Shaw, esq., examined.

3484. Where do you reside, and what is your occupation?—I reside in Cork, and am one of the trustees of the corn market here. I know the trade in corn here for the last thirty years. Before the present market was established in 1823, great numbers of frauds were practised here. The brokers then were not such a good class of men as at present, and the farmer was more open to fraud, unless the merchant was a man of integrity, as the whole of the corn was then weighed at the merchants' private stores.

3485. Do you think the system of selling through brokers objectionable?—I think brokers cannot be dispensed with, and are necessary evils; as many of the farmers frequenting the market are men of no education, and in some cases cannot speak a word of English. Many brokers, besides, keep a house upon the road-side, where the farmers put up their horse and cart when coming to the market. In cases where the farmer does not get this road-side accommodation, the brokers often return half the brokerage. I am a merchant, and the corn brought to my stores is almost always sold to me by a broker—hardly any by a farmer; the farmer selling is the exception.

3486. How do you account for this, that in the wildest districts the farmer can sell his own corn, and here he must employ a broker as an interpreter?—The buyer in these districts is generally a person who speaks Irish, and in addition, the broker here makes himself so useful to the farmer, that he considers it more for his advantage to employ one. For example, the farmer, if conducting his own sales, would ask some ridiculous price, and as the market lasts only half an hour the merchants could not lose time bargaining with them. In the higher branches of trade we find them necessary, and, I think, they are also necessary to the farmer. I think frauds on the part of the brokers would be diminished if they were put under the control of the trustees. As to what brokerage should be paid, I think the trustees should have power to settle what was to be charged, and to prevent any but respectable parties acting as brokers. At the same time it must be remembered, that the broker, in most cases, for the brokerage he receives, stables the farmer's horse, and lodges the farmer himself for one night. In Limerick, by their new market act, they are to do away with the brokers or sky farmers altogether; all their produce is to be sold in the market, and the merchant, or some person for him, is to buy.

3487. Why should not the same be done here?—I think such would be impracticable here, and be a great loss to the farmer. The broker often acts as arbitrator between the farmer and the merchant. I think if the brokers were appointed by the Board of Trustees they would be more independent between the parties. Unless such was done I do not see how you could permit my employing any person I pleased to sell for me. The broker is at present paid by the merchant, but, of course, the merchant is not the ultimate loser. If a gentleman sells himself, I would give him £1 0*s.* 6*d.*, when I would only give the broker £1.

3488. If there was no broker, would not the persons who wanted to buy go to the market themselves and do so?—Perhaps they would; but I beg to state that, after thirty years' experience in the corn trade, I am of opinion that brokers are a necessary evil, and cannot be dispensed with.

3489. But if the farmer be so ignorant as you say, how can he guard himself against the frauds of the brokers?—The broker protects the farmer. I would prefer to buy from Mr. Sarsefield or Mr. Jeffreyes, but I would prefer dealing with a broker to the poorer class of farmers. There are also a class of buyers in Cork who will object to any kind of corn when it is on their loft, and then the broker decides between the merchant and farmer.

3490. But does the broker never play into the merchant's hands?—I cannot say as to that, but I think if he did so he would soon lose his business. The broker may favour a merchant so far as to give him the corn at the same price he could get from another, but not beyond this.

3491. According to what has been stated, it would appear that the farmer pays on every barrel of wheat, deductions and every thing considered, about 1*s.* 3*d.*; now, would it not be better to weigh all corn standing beam, and abolish all deductions, except the actual weight of the empty sack?—I think it would be better, as it would simplify the matter; but I do not think beamage injures the farmer so much, as I give more for twenty stone seven pounds than I would for twenty stone.

3492. Does not the present system keep up a fictitious price in the market?—It does; I much prefer, however, our mode of purchasing corn to that of England.

3493. Would you prefer selling by the barrel or stone?—I would prefer selling by the stone over the whole country; it would, I think, simplify the matter more, and would, therefore, be the best; and by looking at the market-note of any town in Ireland you could at once tell the price of corn there.

3494. Is not the present deduction for beamage an encouragement to farmers to send in their corn in a dirty state?—Yes; but the man who sends it in dirty is cut down still more in the price, and no matter what you do, most of the farmers will send in their corn dirty, as they are obliged to thresh on the ground, and have not proper machinery to clean it. As to the ship, or imported corn, the following are the reasons that the toll charged upon it is so small:—In the first place, we were obliged, in order to charge the full toll, to prove a sale; and in the next place, our Act did not seem to have contemplated the present state of things. When our Act was passed, such a thing as a cargo of foreign corn was unknown, and the market here affords no accommodation or protection to that corn to entitle us to tax it to the amount of 2¾*d.* a barrel. We, therefore, reduced the toll on it to the present amount.

3495. However, the result of your present system seems to be, that the home produce has to pay taxes, which the foreign has not?—The home produce has to pay more, but he gets value, which the foreigner does not. If a man from Skibbereen or Clonakilty send round his corn by sea in bulk, he is charged the same as the foreigner, unless he weighs his corn in the market. If we were to charge the full toll they might unload their cargoes at Passage, down the river, and we could not send a man to charge them there. If a farmer brings his corn coastwise into Cork, he could not be obliged to weigh it in the market; but if he brought it by land into the town he would have to pay the full tolls whether he used the market or not.

3496. Then your present mode of charging ship corn is only a compromise, and you would enforce the full tolls if you could?—It is really a compromise; we found it so difficult to prove sales, and we gave so little value, that we consented to the present system. If the tolls were raised upon foreign corn, I think the tolls upon the farmer's corn ought not to be lowered, as he gets accommodation which the foreigner does not; and I think the port of Cork would be injured; in fact the market receives more since the compromise was effected than before it, from the tolls upon foreign corn. If a toll as heavy as is levied on farmers' corn, were levied in every port of Ireland upon imported corn, it would operate injuriously for Ireland, and in favour of England.

3497. But do you not think 1*d.* a quarter too small a charge?—I think we get more money by this reduced rate.

3498. That is, they did not return you the proper quantities before?—Perhaps not. The compromise was effected about two years ago. I do not think that one-fourth of the trustees import corn.

3499. Are there not other tolls levied upon home corn?—Yes, there are corporate tolls charged upon it; but foreign corn is charged 1½*d.* a quarter for harbour dues, which, of course, corn coming by land is not subject to. The market is under a heavy debt, which has operated against the trustees affording better accommodation in the market, such as cover for hay and straw, which is much required. One-sixth of the gross amount received is paid over to the Corporation in place of the rights they had before the Market Act passed; and the surplus, after paying the expenses of the market, goes towards the payment of the interest to the Loan Commissioners, as there is £9,000 of the money they advanced still due to them. The gross proceeds received by the market trustees is about £3,296.

3500. Can you give any information as to the pig market?—I was present when attempts were made to have the pigs weighed in the market, and it was objected to both by the buyers and sellers; for it is necessary, before weighing them, to have the head cut off in order to see if they are measly or not, and also for the purpose of taking out the coagulated blood.

Thomas Somerville Reeves, esq., examined.

3501. Can you give any information concerning the corn market held by the trustees?—Yes; I have to state that after the Act establishing this market had passed, it was found that £15,000 would be required to build the market with proper accommodation. We could only get a loan of £10,000 from the Exchequer Loan Commissioners, and have been in debt ever since; for we had, in consequence of insufficient funds, to erect temporary buildings, which caused great expense; the rest is owed to the contractors who built it.

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311. Thos. S. Reeves, esq.

We pay £5 per cent. to the Commissioners. The Commissioners promised to take £4 per cent.; but as we owe money to them, whether the interest is calculated at £5 or £4 per cent., we cannot raise the question at present. We got the ground for nothing, but found, unless we built proper markets, we could not get tolls. The whole cost to erect them as they ought to be would be about £25,000. We got £5,000 from the Government for building the bridge, and £2,500 from private parties. The bridge cost £10,000, and is very useful. It would be a great matter to have money to enable us to cover the hay market. If our debt to the Commissioners were wiped off we would be able to erect a proper building, and the tolls would cover the expenses. One-sixth of the gross yearly proceeds, less twenty-five per cent. for collection, was agreed to be given to the Corporation to withdraw their opposition to the Bill in Parliament. This one-sixth is given to the Corporation in place of a toll they levied in a market in which corn, before the Act, was sold and tolls levied, but which afforded little or no accommodation to the public. The Corporation get less money now than before the Act passed, but have no trouble or expense in collecting it.

312. T. R. Sarsefield, esq.

Thomas R. Sarsefield, esq., examined.

3502. Have you any suggestions to make with respect to this market?—Yes; I wish to observe that the beamage and other allowances taken by the merchants are very objectionable, as giving a fictitious value to corn; and all things being regulated by the price of corn, the evil extends in every direction. They, besides, press unfairly upon the farmer, and encourage him to bring in his corn dirty.

3503. Would you be in favour of weighing all corn at standing beam, with as small a weight as one pound, and abolishing all deductions from the gross weight of the draught, except the empty sack?—I would; I also wish to remark that I think foreign corn ought to be charged higher tolls, and if so the tolls might be reduced to the farmer, without any loss to the funds of the market. I also think corn ought to be sold everywhere by the stone. Sometimes a greater price is paid by the merchant than is entered upon the ticket, in order to keep down the averages and the price of corn over the country.

3504. Do you think the system of employing brokers objectionable?—I think brokers would be exceedingly useful if they were under proper control, and men of good character only were allowed to act as such. I am speaking now, altogether, as an agriculturist. The rate of payment to them should be fixed.

3505. What do you think would be a fair charge for brokerage?—I think half their present charge would be quite enough. At present the broker only gets half the charge for mere brokerage; and if there were fewer brokers, they would be better paid by charging even less than half the present amount paid to them.

313. William Roche, esq.

William Roche, esq., examined.

3506. Do you wish to add any thing to the evidence that has been given to us?—I wish to state, that I think the doing away with the deductions would cause dissatisfaction, as the poor farmer cannot bring in his corn clean, owing to his being obliged to thresh it upon the ground. There is at present a penalty imposed by Act of Parliament upon any one adulterating corn, but it cannot be enforced. I buy by sample, which is generally very clean, and I do not see the corn until it is started in my loft; and it is then too late to cut the corn. If I prosecuted a seller for fraud, I would find it difficult to buy any corn, as none of the farmers would like to sell to me.

3507. Are not the deductions a loss to a farmer who cleans his corn properly?—Perhaps they are, but I think the present system is better than any other.

3508. If the corn had much sand in it, would you not cut it, besides the beamage and tret you had already deducted?—I would; but I might not find it out in time, as I might not know where to find the farmer by the time the corn was started. I keep the sample given by the broker, and sometimes, if the corn is not equal to the sample, I cut it. I get twenty stone seven pounds, instead of twenty stone. If I got only twenty stone, I would reduce the price accordingly. The price of a barrel of wheat varies from 20*s.* to 25*s.* according to the quality of the corn, and the dirt that may be in it.

314. John Bennett, esq.

John Bennett, esq., examined.

3509. What is your occupation?—I reside in the city of Cork, and am solicitor to the Committee of Merchants, and also to the Trustees for Markets, for the sale of corn, hay, green food for cattle, and other articles in that city.

3510. Do you generally concur in the evidence given by the witnesses who have been examined, or have you any further information to afford on the subject of this Inquiry?—I do concur in the evidence already given. I am requested to give you some information in reference to frauds practised in the Cork markets, which come more peculiarly under my notice, being intrusted with the conduct of proceedings for their punishment where practicable.

Frauds in the adulteration of corn are very generally practised by putting stones and sand in it, and by mixing inferior qualities with the bulk, or by selling corn inferior to the sample produced, by putting portions of an inferior quality in particular parts of the sacks; adulteration is also extensively practised in butter by means of potatoes, or by putting an over-quantity of salt in the firkin, and by a mixture of lard with the butter, and by various other ways which will probably be more fully stated to you, when you enter upon your inquiry into the butter market here. Bad hay is also very often put into the middle of loads of

good hay, deceiving the buyer by the external appearance; a great deal of plundering of hay, straw, and oats, takes place when going from the market. There is a very great disinclination to prosecute among the buyers, arising in some degree from the heavy penalties attached to these offences, under the 14th & 15th Vic.—namely, the forfeiture of the whole load of corn or hay in addition to the pecuniary penalty; and many frauds are not reached by any existing statutory provision, and therefore, they can only be dealt with through the medium of proceeding by indictment at quarter sessions—a course wholly impracticable in many instances. First, it is necessary to proceed before a magistrate and have informations taken; then, they must be returned for trial at the next Recorder's Court; a Grand Jury must find a bill, &c., whilst the witness to prove the case, perhaps, resides forty miles from Cork, so that people will not expose themselves to the trouble and delay of following them out to a conviction. If the punishment were lighter, and a power of summary proceeding before a magistrate existed in all cases, frauds in markets would be much more frequently punished. I have framed a clause comprehending some frauds, not at present punishable in a summary manner, and carrying out the views I have been suggesting, and persons of experience here think that such a provision would be found of great general utility. I beg now to hand a copy of it to the Commissioners for their consideration; should they think fit to recommend its introduction into any Act that may result from their report. If any agricultural and commercial gentleman present has any observation to make for its improvement, perhaps they would kindly mention it :—

"Any person who shall sell or offer for sale any wheat, rye, peas, beans, barley, bere, oats, maize, meal, flour, or other corn, or any hay, straw, potatoes, green food for cattle, or any malt, butter, or other commodity, which shall in the whole or in part, be spoiled or adulterated by wetting or by mixing therewith, or placing within any load, cart-load, or cask, or parcel thereof, any gravel, sand, dirt, or rotten or damaged or inferior corn, grain, meal, or flour, malt, hay, straw, or potatoes, lard, salt, or any other kind of stuff, or which shall not in the whole mass be in quality of equal goodness to that produced to the view of the intended buyer or buyers thereof, or shall use any other adulteration, fraud, or deceit, in order to make such corn, grain, malt, meal, flour, hay, straw, potatoes, green food for cattle, butter, milk, or other commodities, appear of better quality or heavier than it would have been without such mixture, adulteration, fraud, or deceit, shall upon conviction be liable to a fine not exceeding forty shillings, to be recovered in a summary way before any justice of the peace, or to be imprisoned for any period not exceeding one month."

If the punishment were restricted within these limits, and if the case could be disposed of within half an hour, the complaint would be brought before a magistrate, and the farmer could go home, without being subjected to any inconvenience; and I have no doubt a few instances of punishment in that way would soon put an end to many of the existing frauds, and come in aid of remedies proposed by the trustees for acquiring a proper control over the brokers in the market. If the brokers continue to sell corn for the farmers, it is in their power to practise great frauds, which there is no doubt many of them do at present. The trustees have been desirous of getting rid of the brokers, but they found that the agriculturists as well as the buyers wished to have them continued, and the trustees have no power at present to keep them out of the market (or if people will avail themselves of their services) to make them amenable to the trustees for their conduct and practices, a power which it would be of the greatest possible value that they should have.

The trustees were advised that corn, ex-ship or boat, which was purchased in Cork and deliverable here, was liable to pay the dues as other corn sold in Cork under the terms of their Act of Parliament, passed in 1823, and they deemed it their duty, as trustees for the public, to charge and enforce payment of the toll on foreign wheat, &c., thus sold in Cork, in competition with the home-grown articles paying a similar toll, when sold in Cork; but there was in the case of ship corn, in proving that the sale took place in the city, and so much resistance made to the payment, and so much evasion of it successfully practised, that it was thought better to make the compromise alluded to with the merchants, to take a reduced toll in consideration of faithful *bona fide* returns of sales under solemn declaration, and prompt payments of the toll, no farmer has a right to complain of the amount paid by the foreign article, as the whole of it goes to the increase of the funds of the markets, and thus to relieve the agriculturists here from tolls which he would be otherwise charged, it involves no expense of collection and no expense of weighing in the market, &c.

In reference to the rates of toll charged by the trustees on agricultural produce, it may be necessary to inform the Commissioners that the Exchequer Loan Commissioners hold a mortgage upon the tolls of the market, and have sometimes threatened to put a receiver over the market unless paid heavy arrears of interest, &c., which accrued during the building of the markets, and from other inevitable causes; and this pressure, coupled with the necessary expenditure for maintenance of the market and an efficient staff, render it impossible for the trustees to reduce the tolls, particularly as the debt is increasing even whilst charging the present tolls.

It would be a very legitimate boon to the agricultural interest if this debt, usefully expended in building these extensive markets and the bridge which leads to them, was forgiven, the tolls could then be reduced.

The delivery of foreign corn at the port and city of Cork takes place to a vast extent, and the metage of this corn here is in a very defective and unsatisfactory state.

There are no sworn meters or measurers at Cork, and neither the Corporation nor any other public body possesses the power to appoint such officers.

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23rd November, 1852.

314.
John Bennett, esq.

Since the repeal of the protective duties on foreign grain, the customs duty on it of 1*s.* per quarter, to cover the expense of ascertaining the extent of the importation of foreign corn into the ports of the United Kingdom for statistical purposes, all foreign corn imported is purchased and is delivered from the ship to the merchant by the measure, by the imperial quarter; and although the merchants here obtain the delivery by measure only, they invariably sell to the buyers in the locality in draughts, by weight (tons, hundred-weights, quarters, and pounds), and much confusion and disputes arise in consequence. Of course the merchant's bills of lading specify the quantity of the cargo in the measures of the country the grain comes from—the Black Sea, the Danube, Portugal, &c., which measures are reducible by a standard into English imperial quarters.

The duty being so small, the customs, instead of providing a staff to make the actual measurement of every quarter or bushel contained in each vessel (of which, on the arrival of fleets from the Mediterranean, there are large numbers discharging together), make an average computation only.

The mode adopted is this: the merchant sends some porters employed by him, into the hold of the vessel, and they take with them a bushel measure, inspected and approved by the landing surveyor of customs. Two of them force this into the mass of corn, and then place it upright; a man, who is not an official or authorized person, but one casually employed by the master of the vessel, strikes the surface of the grain with a stick, and makes it level with the edge of the measure; the contents of the bushel are then thrown into a bag, and, when the bag contains four of these, it is hoisted on deck; each two bags makes a quarter. The bags remain on deck, an inferior officer of customs remaining on board, and the landing surveyor occasionally visits each vessel; and if the master or mate of the ship thinks any of the measures have been heaped or not struck quite level, he calls the officer's attention to the bags containing them, and the contents of the bags are turned out and re-measured, and any excess found is measured by imperial pints and quarts, and noted down, and so for every bag tried; and the excess on so many as are so is averaged upon the whole number of quarters in the vessel, generally amounting to several hundreds, and this average excess added to the quantity originally measured, and the whole set down as the quantity delivered. In this re-measurement the corn is dropped gently from the bag into the measure, whilst, when the measure was first filled, it was pressed in and shaken down; but this is not fair, and does not ascertain the quantity correctly. It would be a great improvement if deliveries from the ship were made by weight, but this could not be generally enforced.

In conclusion, I beg to suggest that whether corn is to be weighed or measured, it would be most necessary that some responsible body, say the Trustees for Markets, who have a permanent existence under an Act of Parliament, should be empowered to appoint and swear a certain number of persons faithfully to weigh and measure corn, between one party and the other, and to charge some small sum for metage.

315.
Philip Cross, esq.

Philip Cross, esq., examined.

3511. What is your occupation?—I farm extensively.

3512. Have you any observations to make?—I beg to observe, that although it is contrary, I believe, to rule, some of the brokers employed in the corn market are buyers of corn as well as brokers. I can name one who does so, Mr. Stephen Murphy. I have bought corn off his loft within the last year; there are several other brokers, I believe, also buy and sell, who, I believe, are also very proper men.

Mr. *Webber* stated that if any brokers bought, it was under the rose, as they could not do so openly.

Bye-laws of Corn Market, &c.

Annexed are attached the following documents:—

1. Bye-Laws of Corn-Market.
2. Receipts of Market, and quantity sold.
3. List of Staff.
4. Blank forms of tickets.

The Bye-laws, Rules, Regulations, Orders, and Directions following, were made by the Trustees for Markets, pursuant to the Act passed in the Third Year of the Reign of his late Majesty King George the Fourth; entitled, "An Act for the Establishment of Markets for the Sale of Corn and other articles in the City of Cork:"—

It is hereby ordered and directed, that on every day, Sundays and Christmas-day excepted, the market now provided by the trustees for the sale of corn in the city of Cork, shall be open for the admission of corn at seven o'clock in the morning; that the sale of corn in the said market shall on every day commence at nine o'clock in the forenoon, and continue until two in the afternoon, and no longer; and that the gates of the said market shall daily be finally closed at five o'clock in the afternoon.

It is hereby ordered and directed, that the time for the commencement and for the termination of the sale of corn within the said market each day, shall be made known by ring of bell, and that a warning-bell shall be also rung, one quarter of an hour before the termination of the time of sale.

It is hereby ordered and directed, that the person or persons, who shall at any time or times, cause any corn, horse, cart, or carriage, to enter the said market, shall place such

corn, horse, cart, or carriage, in such part of the said market as shall be appointed for the same, by any one or more of the person or persons who have been, or shall be, appointed by the said trustees, for the purpose of regulating the order in which corn, horses, carts, and carriages, shall enter, stand in, and pass through the said market; and shall, whilst such corn, horse, cart, or carriage, shall continue within the said market, remain in constant attendance on the same; and shall from time to time, immediately on being directed by the person or persons so appointed by the said trustees, as aforesaid, to remove or cause to be removed, such corn, horse, cart, or carriage, from one part of the said market to another, or remove the same out of the said market, shall remove or cause such corn, horse, cart, or carriage, to be removed in such manner as shall be so directed; and if the person or persons who shall at any time cause any corn, horse, cart, or carriage, to enter the said market, shall refuse or neglect to place such corn, horse, cart or carriage, in such part of the said market as shall be appointed for the same, by one or more of the person or persons appointed by the said trustees, as aforesaid, or shall not whilst such corn, horse, cart, or carriage, shall continue within the said market, remain in constant attendance on the same, or shall refuse or neglect to remove such corn, horse, cart or carriage, as he, she, or they, shall be directed to do, as aforesaid; then, and in every such case, such person or persons so offending, shall for each and every such offence, forfeit and pay such sum, not exceeding five shillings, as by the justice or justices, who shall hear and determine any such offence, shall be deemed fit and reasonable.

It is hereby ordered and directed, that all corn weighed in the said market, shall be weighed standing beam, and that the weight thereof shall be called and shall be entered in the book, to be kept by the clerk who shall weigh the same, two pounds less on each draught.

It is hereby ordered and directed, that on the sale of all corn sold in the said market, an allowance of two pounds tret, shall be made to the buyer on every hundred-weight gross.

It is hereby ordered and directed, that any person who shall for himself, or for any other person or persons, sell within the market provided by the trustees for the sale of corn, any corn which shall not, at the time of such sale, actually be within the said market, shall, immediately after such sale, and previous to the delivery of any part to the purchaser, make to the collector of tolls appointed by the said trustees, a true return of the quantity of the corn which shall have been sold, and of the price or prices for which the same shall have been so sold, and if any person shall for himself, or for any other person or persons, sell within the said market, any corn which shall not at the time of such sale actually be within the said market, and shall decline or omit to make immediately after such sale, and previous to the delivery of any part to the purchaser, to the collector of tolls appointed by the said trustees, a true return of the quantity of the corn which shall have been so sold, and of the price and prices for which the same shall have been so sold; the person or persons so offending shall, for each and every such offence, forfeit and pay the sum of five pounds.

It is hereby further ordered and directed, that if any person whatsoever shall, within the said market, interrupt the business thereof, or interfere to prevent the sale or purchase of corn therein, every such person so offending shall, for each and every of such offences, forfeit and pay such sum, not exceeding forty shillings, as shall be deemed fit and reasonable, by the justice or justices, who may hear and determine such cause.

It is hereby ordered and directed, that no person whatsoever, shall buy or shall sell, or exhibit or expose to sale, or otherwise, or take or examine samples, sacks, or other parcels of corn, within the markets, now provided by the trustees, for the sale of corn in the city of Cork and suburbs thereof, before the market-bell shall ring for nine o'clock in the forenoon of any day; and if any person shall buy or shall sell, or exhibit or expose to sale, or otherwise, or take or examine samples, sacks, or other parcels of corn, before the said market-bell shall ring for nine o'clock in the forenoon of any day, such person or persons so offending shall, for every such offence, forfeit and pay such sum not exceeding five pounds late currency, as by the justice or justices, who shall hear and determine such offence, shall be deemed fit and reasonable.

It is hereby ordered and directed, that all sales and purchases of corn which shall be made within the market now provided by the Trustees for the sale of corn, shall, from and after the twenty-seventh day of September, One thousand eight hundred and forty-one, be made in that part of the market called the Exchange; and if any person or persons shall, from and after the said twenty-seventh day of September, buy or shall sell any corn in any other part of said market than in the said Exchange, such person or persons so offending shall, for every such offence, forfeit and pay such sum not exceeding five pounds late currency, as by the justice or justices, who shall hear and determine such offence, shall be deemed fit and reasonable.

It is hereby ordered and directed, that there shall be paid by every person who shall sell any rye within the city of Cork, or the suburbs thereof, the sum of one penny for and upon every fourteen stone thereof, and so in proportion for a lesser quantity.

It is hereby ordered and directed, that no person whatsoever shall sweep or gather up in the Exchange established by the said trustees for the sale of corn therein, any corn of any description whatsoever; and that no person shall take or remove therefrom any corn, save and except the respective samples of the respective parcels of corn, which shall or may be purchased by the merchants or buyers of same respectively; and if any person or persons shall sweep or gather up any corn, or shall take or remove from the said Corn Exchange any corn but the respective samples of the respective parcels of corn so pur-

CORK, 23rd *November*, 1852.

Bye-laws of Corn-Market, &c.

chased by the said merchants and buyers of same respectively, it shall and may be lawful to and for any of the officers of the trustees to stop, seize, and detain such corn, and the person or persons so offending shall, for every such offence, forfeit and pay such sum not exceeding five pounds late currency, as by the justice or justices, who shall hear and determine such offence, shall be deemed fit and reasonable. Provided that nothing herein contained shall extend to prevent the proper officer or officers of the trustees from having the said Exchange swept and cleansed at all convenient times, and the refuse corn found therein removed.

It is hereby ordered and directed, that no person whatsoever shall buy or sell any dead pig or pigs within the market, now provided by the trustees for the sale of dead pigs in the city of Cork, and suburbs thereof, before the hour of half-past eight o'clock, nor after the hour of half-past ten o'clock in the forenoon of any day; and if any person shall buy or shall sell any dead pig or pigs, before the hour of half-past eight o'clock, or after the hour of half-past ten o'clock in the forenoon of any day, such person or persons so offending shall, for every such offence, forfeit and pay such sum not exceeding five pounds late currency, as by the justice or justices, who shall hear and determine such offence, shall be deemed fit and reasonable.

It is hereby ordered and directed, that the sale of hay and straw shall on every day commence at nine o'clock in the forenoon, and continue until two o'clock in the afternoon, and no longer.

It is hereby ordered and directed, that a rent, or storage, of sixpence per load, shall and may be charged daily, upon each and every load of hay and straw which shall remain and be found stored in any part of the corn department of the market, between the hours of nine and eleven o'clock in the forenoon of any day.

By order,

E. WEBBER,

Clerk and Secretary.

RECEIPTS at CORN MARKET for Year ended August 31, 1852.

	£	s.	d.
Wheat, 39,624 barrels,	454	0	6¼
Barley, 81,843⅔ barrels,	511	10	5½
Oats, 259,513½ barrels,	1,081	6	1½
Pigs, 18,400,	134	3	5¾
Hay, 5,651 ton 7 cwt.,	235	9	5¼
Straw, 4,746 ton 7 cwt.,	197	15	3½
Green food 1,403 ton 8 cwt.,	58	9	6
SHIP CORN.			
Wheat, 178,885 quarters,	559	2	11
Barley, 11,318 quarters,	26	10	9
Oats, 5,867 quarters,	9	3	10
	£3,267	12	4

E. WEBBER.

STAFF of the CORK CORN MARKET.

Secretary, Clerk, and Collector.
Superintendent.
Eleven Scales Clerks.
Two Office Clerks.
Eleven Weighmasters.
Thirty-eight Assistants (Porters).
Two Gatekeepers.
One Storekeeper.
Two Market Police.
Two Boys.
One Night Watchman.

E. WEBBER, *Secretary.*

No. HAY MARKET.

Cars of

Date,
Seller,
Buyer,
Price,

Tons Cwt. qrs. lbs.

Tons Cwt.

For Tax

NOTE.—To guard against fraud, *often practised*, it will be right that the Purchaser see that the *same loads* weighed are delivered, and the empty cars with their appendages brought back to be deducted.

No. HAY MARKET, CORK.

Cars of

Date,
Seller,
Buyer,
Price,

Tons Cwt. qrs. lbs.

Cwt. Tons

For Tax

PIG MARKET, CORK.

Pigs,

Date,
Seller,
Buyer,
Price per cwt.

Cwt. qrs. lbs.

Scale
Ticket
Tax

NOTE.—Two pigs are weighed in a draught, and the weight entered less 4 lbs., the neatage 2 lbs. per pig, is then deducted.

PIG MARKET, CORK.

Pigs,

Date,
Seller,
Buyer,
Price per cwt.

Cwt. qrs. lbs.

No. Scale
No. Ticket
Tax,

CORN MARKET, CORK.

Bags,

No. Scale
No. Ticket } Tax, Bars
Seller,
Buyer,
Price per Barrel,

Cwt. qrs. lbs.

Each Sack is entered 2 lb. less—Beamage.

The Tickets are made up in cwts. qrs. lbs.—Tret, 2 lb. per cwt. deducted—and then reduced into barrels, stones, and pounds. The weight of the empty bags to be deducted by the buyer.

CORN MARKET, CORK.

Bags, s. d.

No. Scale
No. Ticket } Tax Bars
Seller,
Buyer
Price per barrel,

Cwts. qrs. lbs.

Sir *William Lyons* examined.

316. Sir William Lyons.

3513. I believe you are extensively engaged in the butter trade?—I am; and the Committee of Merchants have selected me to appear before the Commissioners on their behalf; and they had considered it the best course to draw up a report giving a detailed account of the operations of the butter market, as they thought by that mode they would save a good deal of time, and facilitate the object the Commissioners had in view. With the permission of the Commissioners I will read that report for them.

3514. Be so good as to do so.

Explanatory Statement of the Cork Committee of Merchants respecting the Cork Butter Market, and the system of weighing and classification practised there, under their regulations.

The provisions of the old Butter Acts—some of which were General Acts, and many of them confined in their operation to the city of Cork alone—providing for the compulsory weighing of butter and casks, were found to be so oppressive, as restrictions on trade, that, in compliance with public opinion, they were repealed by Acts passed in the ninth and tenth years of the reign of George the Fourth, and the trade set free from legislative control. That no legislative measures of a mandatory character, nor any municipal or other control of the trade are necessary (at least so far as the city of Cork is concerned), will, the Committee of Merchants trust, appear from the following statement of the nature, extent, and operation of the voluntary system of weighing and inspection carried out at the Cork butter weigh-house:—

Indeed the injury which would result to this branch of our commerce and manufacture from such control or interference—by fettering the producer on one hand, and depriving him of the selection of his market, and the merchant upon the other, restricting his dealings and course of trade—can hardly be estimated.

The mayor or chief magistrate of every city or town in Ireland has, under the Act of the 4th of Anne, cap. 14, the power to appoint a general sworn weighmaster, to weigh indifferently between buyer and seller, not only butter and casks, but all other commodities of every description, at a charge of a halfpenny for every thing under a hundred-weight, and one penny for each article above that weight; but with this important advantage over a compulsory provision, that no one is compelled to bring his goods to this weighmaster to be weighed, while that officer is bound to weigh for such as apply to him; the law in this respect being expressly defined by the 10th George the Fourth, cap. 21; and since the repeal of the numerous and harassing penal provisions of the former Acts by this last-mentioned Statute, the butter trade in Ireland has regulated itself, those concerned in it varying its management as occasion has required.

At the city of Cork, the largest butter market in Ireland, a general weighmaster, appointed by the chief magistrate under this Act of Anne, exercises his functions, (having an office in the Cork butter weigh-house for that purpose), and has appointed four deputy scales-masters or assistants, who act daily for the public accommodation there, under his own immediate personal superintendence. And in the year 1829, (immediately after the passing of 10th George the Fourth), a conventional arrangement and a voluntary code of regulations were adopted amongst the merchants and others engaged in the butter trade in that city; the increase of the trade under which is good evidence of the benefit resulting from allow-

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Sir William Lyons.

ing both producer and merchant full freedom of action, independent of the shackles of an Act of Parliament, or the influence of civic control or interference in a matter purely commercial. From an early period there has existed, at Cork, a body, representing and presiding over the mercantile interests of the city and port, called "The Committee of Merchants," annually elected by ballot from amongst the merchants and traders, four leading merchants being elected with the Committee, each to serve as president for a period of three months, those of the present year being John Robert Burke, Robert Honan, William Fagan, M.P., and Thomas Somerville Reeves, esquires.

The secretary of the Committee is a gentleman of commercial experience, and the fullest confidence is reposed in the judgment and impartiality of this popularly-elected body, which is well known in all our markets at home and abroad; under its presiding influence and management the butter trade at Cork has established a free market, lately enlarged at considerable expense from funds voluntarily provided by the trade itself, independent of any local assessment or other assistance, comprehending a covered market and weigh-house for the convenience of the vast number of country people resorting to it, an exchange and place of meeting for the merchants and traders, with suitable offices, &c.

The arrangements of the Committee of the trade, subscribed and adopted voluntarily by all persons who choose to deal at the Cork butter market, are as as follow:—The Committee provide four inspectors or tasters of butter, men of general intelligence, unexceptionable character, and matured knowledge of this article and its distinctive qualities, whose whole time is required to be devoted to the business of the Committee, to the exclusion of any other pursuit or employment whatever.

These officers receive a salary of £150 per annum each, their independence of action being further secured by the expectation that, when advancing years or infirmity shall render them unfit for duty, the Committee (should their duties have been faithfully performed,) will provide for them by a superannuation allowance, which, in each of two recent instances, the Committee fixed at £100 per annum, to be paid the retired inspector for his life. These inspectors know that the property of the farmer is submitted to their fiat to affix its value; the foreign merchant will buy on the character given to each cask of butter by their brand as securely as he would take standard coin at its assigned worth. In this public confidence the honour of the merchants of Cork, on which it is based, is involved in their judgment, and they know that instant dismissal would attend the slightest departure from strict justice between buyer and seller, and they have invariably been found to discharge their duty of inspection honestly and satisfactorily, carefully ascertaining that the article submitted to their judgment is free from impurity or adulteration, and that it receives exactly the brand of character to which its material condition and style of manufacture entitle it.

To secure complete satisfaction to all parties, and to remove even the possibility of partiality in classification of butter by the inspectors, the regulations of the Committee further provide that the butter brought into the market each morning (consisting frequently of 3,000 casks or firkins) is divided into four lots of equal number, each lot distinguished by a letter, (A, B, C, and D); separate cards with these letters are put into a hat, out of which each inspector draws one, and immediately proceeds to the inspection of the lot corresponding to the letter he has drawn; so that up to five minutes previous to the inspection neither the farmer, the merchant, nor the inspector, can tell which of the four inspectors will have the inspection of any particular lot of butter; and, moreover, should any person express dissatisfaction at the judgment of an inspector on any particular lot or cask of butter, the party affected may appeal and demand the decision of all the other inspectors on the subject in dispute.

An inspection of the quality and fitness of casks is also comprehended in the arrangements: four cask inspectors (experienced master-coopers) being appointed at salaries of £80 per annum, whose duty it is to ascertain that casks are of the proper weight, lest merchants be defrauded of the weight of butter by the firkin being soaked in water; the inspector finding any cask in this state, causing it to be taken off the butter by one of the officers provided for this purpose, called shippers, the cask re-weighed, and the tare corrected if necessary.

At the division called the empty-firkin crane, the casks are weighed by the weighmaster, and branded with the proper weight or tare so ascertained.

It has been found necessary from time to time to adopt plans and tests for the detection and prevention of the adulteration of butter, and deception as to the weight of butter and casks; and as new, and sometimes ingenious devices, for these fraudulent purposes develop themselves, the plans and tests require to be changed to meet them; and in consequence of the vigilance and consideration exercised in this regard, the voluntary regulations of this association of merchants, have been found generally effective for the protection of the fair dealer, a result which would not possibly be achieved by the fixed provisions of a statutory enactment. The brands for impressing the quality of butter in each case, and for impressing the weight or tare, contain certain peculiar marks, known only to the officers entrusted with their use, but scarcely noticeable as distinctions by others, and these brands are changed and varied in device every season, the season commencing in April and ending in February. Beside each scale in the market are the persons entrusted by the Committee with their brands, and each cask with butter, as inspected and weighed, receives from the hot iron its brand of quality and weight—each cask, to prevent fraud or substitution, on leaving the market being compared with the butter notes or certificates of quality, and signed by appointed officers. A public

register is also kept in the market of the weight and quality of every cask of butter weighed and inspected, with the name of the maker, so that upon any dispute arising, or for general commercial purposes, a body of valuable information is to be found upon record, classed in years and periods, to which frequent reference is had, sometimes several years after the inspection. Watchmen and inspectors are also placed upon the quays, appointed and paid by the Committee of Merchants to superintend the shipment of butter, and ascertain that no butter which has been inspected in the Cork market is shipped, but such as bears the genuine brand of the market. To carry out this system, in addition to the four butter inspectors, and the four cask inspectors already mentioned, a staff is required, consisting of about forty persons, acting as assistants to the inspectors, as branders, porters, and watchmen; and to provide for the maintenance of this establishment the rent of the market, books, stationery, &c., &c., an annual expenditure is necessary, amounting to about £3,000 per annum, all of which, without any local assessment of any kind, and without any compulsory fees under the Act of Parliament, is supplied by the small voluntary fee paid by the farmers, who repair to this market from the counties of Cork, Limerick, and Kerry, of their own free choice, because they find it the best market for their produce. That the quantities of butter brought to this market and submitted to the weighmasters and inspectors there, have been dependent upon, and progressed with, the operation of this voluntary system, will be apparent from the fact, that immediately preceding the passing of the 10th George Fourth, c. 41, in 1827, the quantity of butter brought into the Cork market for inspection was 269,190 firkins. The year after the passing of that Statute it increased to 297,313 firkins, and, up to the year 1850, had increased to 342,269 firkins, value for over £800,000; and in the present season, so far as it has advanced, a further proportionate increase has also taken place. This sufficiently attests also the confidence of the producer, in the operations of the Committee of Merchants; and their brand has attained so high a character in the foreign market that no butter from Ireland but that bearing the Cork brand is saleable in South America, the East and West Indies, Spain, &c. The commercial men of Cork having fostered and matured the butter trade of that city and port to this prosperous condition, are naturally desirous, both on behalf of the producers and of themselves, that it should not be endangered by the interference of any municipal or official control, or any compulsory enactments affecting the course of the trade; and now that an inquiry is being held for the information of the Government, on the results of which it is intended to base legislative measures, providing for the establishment and control of markets for the sale of agricultural produce, amongst other matters, the Committee of Merchants, as guardians of this large staple trade here, deem it their duty to supply the Commissioners holding this inquiry with the foregoing information, in order that the city of Cork, as regards its butter market, may be exempted from any provisions of a general nature which it may be found useful and necessary, to provide for the prevention of fraud, and the securing fair dealings between man and man in those towns and places where no such establishment exists.

3515. What do you charge for weighing and inspecting butter in the butter market?—The charges have varied, they have been as high as 3½*d.*, but are now only 2*d.* per firkin.

3516. Does 2*d.* include weighing, branding, inspecting, and any other charge in the market?—It does.

3517. Why does the charge vary?—According to the amount of work done in the market. Our system in the butter market is a voluntary one; we only want to pay our expenses, and must charge as much as will do so, the ½*d.* per firkin, which goes to the weighmaster, is the only part fixed. We lately found our business increasing so much, from the confidence reposed in the integrity and fair dealing of the merchants, that it was found necessary to enlarge the market, which prevented the charge being still further reduced. The character of the butter market here is so well established, that the butter bearing the brand of this market is sold all over the world.

3518. Do you contemplate any further reductions in the fees of the market?—Yes; if the extent of the trade will warrant them. I wish, in addition, to mention that we have expended lately, a good deal of money, in widening the approaches to the market, and in order not to lean too heavily upon the country, by raising the fees, the greater number of the gentlemen engaged in the market contributed to these expenses out of their private means.

3519. Is there anything to prevent a person when he gets his butter qualified in the market, taking the butter home and changing the brands?—We do not allow the brands to be given to any person, unless those who bind themselves to observe the regulations of the market.

3520. If a farmer wished to sell his own butter in the market, could he do so?—No; but if a person does not choose to avail himself of the advantages we afford, he is not bound to use our market, he can ship his butter in such cases from where he pleases.

3521. May a farmer, then, subscribe to the regulations and become a member of the body?—Not unless he became a resident in Cork, in order that we may have some control over him, and have a guarantee that he will not abuse the privileges of the market, by altering the brand, or otherwise.

3522. Are there any other expenses connected with the sale of butter besides those you have mentioned?—Yes; there are for cartage, porterage, and other incidental expenses, with which the Committee of the market have nothing to do; 1*d.* is what is charged for porterage and carriage, by the butter buyer, to the farmer. We have in many cases where bad heads of firkins come in from the country, to provide good ones to give to the export merchant, for which there is not any additional charge made.

CORK, 23rd November, 1852.

316.

Sir William Lyons.

3523. The farmer in the first instance sends the butter to the butter buyer?—Yes.

3524. The butter buyers, I believe, are a class quite distinct from the butter exporters?—They are quite different bodies. The Committee who manage the butter market are chosen by ballot out of members subscribing to the butter market. I am not this year a member of the Committee, but I believe the report which they handed to me, and which I send, is a fair representation of the transactions of the market.

3525. Will you tell us all the charges made on the farmer over the 2*d.* that is charged in the market, as, I think, you stated there were others, amounting to 1*d.*—I mean the money charges, we will go into the deductions made for the weight afterwards?—The butter buyers of the middle class, of which I am one, deduct a certain amount of beamage as their own commission, that is generally one pound of the butter. There is also 1*d.* a firkin charged by them for porterage, and to supply the deficiency in bad and inefficient heads. The Market Committee have nothing to do with this charge.

3526. Is there any other charge?—Not that I am aware of.

3527. How do the butter buyers pay themselves for their trouble?—We, the buyers, are a peculiar class: where no money is advanced to the farmer, we deduct one pound of butter only from each firkin.

3528. Who regulates the price that the merchant gives the farmer?—The Committee meet every day at eleven o'clock; the highest value that can be had for the butter is ascertained; they fix that up in the market, and all parties receiving butter from the country that day, are obliged to pay that price.

3529. Does the middleman give the farmer the price the exporter pays him?—He does; it is the export merchant who virtually fixes the prices. The export merchants and the buyers attend every day in the market at eleven o'clock, when the price is fixed. The largest export merchants in Cork were there to-day; there were, I should say, eight or ten fixing the price this morning. A committee for fixing the price consists of seven.

3530. Would it not be an object to the export merchants to fix the price as low as possible?—It would, of course, but the competition of trade regulates very fairly the value of the butter. It is both the buyers and the merchants who fix the price, and not the merchants alone; and the butter buyers themselves sometimes sell on their own account, as well as for the farmers. It is optional with them whether they will buy or sell on any particular day.

3531. But whether they buy for themselves, or sell for the farmer, the farmer gets the price that is fixed that day?—He does; but it sometimes happens that there are not a sufficient number of buyers in the market, and in that case the farmer may not get the price fixed, from a want of demand for it. There is an engagement among the butter merchants in the butter market, not to sell to export merchants who buy butter outside the market, and ship it without its having passed through the market; and their reasons for refusing to do so are very sufficient. These merchants may buy butter outside the market, of a very inferior quality, and come and say to me, I want 100 firkins. If I sold them, the Cork brand would be on these, and then bad butter might be transferred into the casks bearing the market brand of good butter; and on this account, and this account alone, we refuse to sell to those who will not conform strictly to the regulations of the market.

3532. Is there any thing to prevent a merchant re-packing the firkins after they have been branded?—They are bound under heavy penalties not to do so. In addition, we have inspectors upon the quays, and when butter is shipped from the quays, if there is any ground for suspicion, the inspector has the power of opening the casks to see if it has been re-packed, or an inferior quality substituted after the cask has been branded. When fitting butter for export, it is necessary to take a portion out of the head of each cask, to make room for salt and pickle, to preserve the butter in hot climates. That butter is obliged to be put into fresh casks, and the purchaser is bound to send it then to the market to be re-inspected.

3533. When a firkin is too full, and the butter has to be scraped in the market before the head is put on again, to whom do these scrapings go?—They are taken into the general fund. The country farmers had formerly a right to get them, but they gave them up to the porters of the market, and the present was thought a better regulation. It was thought that if the porters continued to get the scrapings, they might be induced to scrape deeper than was necessary, and in order to remove such a suspicion, the Committee decided that all butter so scraped off should go into a general fund, and be applied in discharging the expenses of the market. I wish to observe, that there is a very inconsiderable quantity taken off as scrapings. Every care has been taken by advising the country people to fill their firkins properly, to obviate the necessity of scraping as much as possible; and with this view, every year handbills are issued and sent round to the farmers, by the Committee, advising them to fill the firkins only up to the riddle, and directing them to make room for the head.

3534. Is there something scraped off every firkin?—No; a great deal of them passes without any scraping. If the butter is sent in packed in a proper way, nothing at all will be taken from it. There is about an ounce taken from a firkin by scraping.

3535. The deduction of one pound commission which the butter buyer takes, he deducts on paying the farmer the price of the firkin?—Yes.

3536. Will you explain the system of weighing in the market?—The butter is weighed at standing beam, with nothing taken off the scales; and one pound is the lowest weight used. There are then two pounds deducted afterwards, as allowance to the export merchant.

3537. Is that an allowance for beamage?—No, it is rather a kind of tret. Butter is a

perishable article; there is always a great deal of salt dissolving into pickle, a great quantity of pickle is in the cask, and in order to protect him from loss on that, the export merchant is allowed two pounds on each firkin.

CORK, 23rd November, 1852.

316. Sir William Lyons.

3538. Is that deduction made in the market by the clerk there?—No; the butter buyer deducts two pounds tret for each firkin, and he allows that invariably to the export merchant.

3539. Then, in fact, the butter buyer deducts three pounds from the farmer; one pound for himself, and two pounds for the export merchant?—Yes.

3540. What tare is deducted from a firkin of butter?—We deduct the tare marked upon the cask, which is generally branded by our own inspector. If a country firkin comes in, which is not branded, the butter is stripped and weighed, as the country maker does not tare the cask correctly; I have known casks branded two pounds heavier than they really were. Under an old Act of Parliament every firkin weighing three-fourths of a hundred-weight, gross weight, ought to be of sufficient size to keep such a large quantity of butter; and we prefer, in the case of a firkin weighing three-fourths of a hundred-weight, and over, to deduct fifteen pounds, in all such cases, for the cask.

3541. What is allowed for soakage?—Two pounds. If a new cask weighed thirteen pounds, and the system of branding were properly carried out, it would be branded as fifteen pounds weight. The firkins were stripped in the market a short time ago, for one week, and the casks were tested, and it was found that they came up to the weight stamped upon them. I was told by a farmer that firkins often do not come up to what is branded upon them; I took two firkins then in his possession, weighed the casks, and found them one pound heavier than they were stamped. I should mention that the farmer has the option of getting the butter stripped and the casks weighed, if he chooses, and often does. The farmer very seldom loses by the present system, as the quantity of butter increases the weight of the cask. I have often found casks or firkins weighing fifteen, sixteen, and seventeen pounds from being soaked. The farmers know their own interest, and often tare the casks themselves.

3542. Do the farmers often complain of the manner in which the casks are tared?—Country people very often complain without reason; I receive myself a very large quantity of butter from the north portion of the county Limerick; the gentlemen and farmers of that district send the butter up directly, without coming themselves, so satisfied are they that they will get full justice, and the full value of the article.

3543. Would you recommend that the Cork butter market should be left as it is?—Decidedly; but I beg to say that the Committee of Merchants are willing to receive any suggestion, and make any improvement necessary for the welfare and advantage of the market.

3544. Does the butter of this market bring as high a price as Carlow butter in the English market?—No; there is a prejudice against the butter of this market in England, that it is too much salted; but I think the Cork butter is as good as any other Irish butter. In spring it is not so good, as the country people mix up a good deal of beestings with it, so that at that time of the year very little first quality butter comes into the market.

3545. Have you heard many complaints of the way butter is qualified?—I have often heard complaints from country gentlemen at their butter being marked second quality when they thought it ought to be first. I have heard that butter sent over by Messrs. Croker and Lloyds of this town, which never entered this market, and had not its brand upon it, received a higher price than the butter branded in this market; but such is attributable to its being more lightly salted, which makes it bring a higher price in London. There is considerable risk, however, in exporting butter so lightly salted, as if it is not immediately used, it will grow bad.

3546. Is there much fraudulent made butter sent into the market?—There have been some frauds, but we exercise a very strict vigilance in detecting them.

3547. Have the people confidence in the inspectors?—Generally speaking, I think they have. If they are dissatisfied with the way the butter is qualified by any one inspector they can appeal to the three others; they have also an opportunity of taking away the butter from the market, in case they object to the quality or price affixed to it after the inspection; but in such case the quality marked upon it would be erased from the cask. If butter is too pale it would be marked second; I have known of persons colouring it with some sort of drug, and then passing it as first.

NOVEMBER 25, 1852.

Denis F. Mahony, esq., examined.

25th November, 1852.

317. DenisF.Mahony, esq.

3548. What is your occupation?—I am solicitor to the Corporation.

3549. Do the Corporation levy tolls?—They do; they levy tolls under a patent granted in the seventh year of the reign of Charles I., which is the principal one under which they claim. By virtue of this patent they levy tolls upon articles entering the city by land. There is no schedule to the patent, but the present schedule of tolls was settled in the year 1711 by the county and city grand juries. The above charter is the one we claim to levy the tolls and usage from time immemorial.

3550. The following lists I now hand in is a copy of the tolls charged by the Corporation, viz.:—

[SCHEDULE OF TOLLS.

CORK,
25th *November*, 1852.

317.

Denis F. Mahony, esq.

SCHEDULE of TOLLS, DUES, and CUSTOMS payable to the CORPORATION of the CITY of CORK.

Late Currency.

	s.	d.
Each barrel of wheat, rye, pease, malt, barley, oats, or meal, of all sorts (statute measure) entering city or suburbs,	0	1
„ cask or firkin of butter, under an hundred-weight, entering city or suburbs,	0	0¾
„ cask of butter of one hundred-weight neat, or upwards, so entering,	0	1½
„ hundred-weight of melted tallow,	0	1
„ cow, steer, bull, or ox, bought in the market, to pay for toll,	0	4
„ horse, mare, or gelding so bought, to pay for toll,	0	6
„ sheep or goat so bought,	0	0½
„ boar, sow, or hog so bought,	0	1
„ cow, steer, ox or bull slaughtered within the city or liberties, for sale or exportation, for which the toll of the market had not been paid,	0	2
„ mutton, pork, or veal so slaughtered	0	1
„ raw hide brought into the city or liberties,	0	1
„ raw hide sold in the market, whose beast was not slaughtered within city, suburbs, or liberties,	0	1
„ tanned hide entering city or suburbs,	0	1
„ horse hide, so entering,	0	1
„ deer skin, so entering,	0	1
„ otter skin, so entering,	0	1
„ fox case, so entering,	0	0½

Late Currency.

	s.	d.
Each dozen of sheep, goat or calf skins, so entering, not in parcels,	0	1
„ hundred of lamb or coney skins,	0	2
„ pack of skins, or other packed goods, from the country, not named in this docket, if on a truckle,	0	4
If only an horse load,	0	2
„ horse load of tobacco,	0	3
„ horse load of hoops,	0	1
„ horse load of iron,	0	1
„ horse load of boards, joists, or planks,	0	1
„ ten loads of bark,	0	2
„ rug or cadow,	0	1
„ pack of frieze or woollen cloth,	0	4
„ pack of worstead or woollen yarn entering city or suburbs,	0	4
„ bag of wool, so entering,	0	4
„ horse load or half barrel of lime from the country,	0	0½
„ pair of mill-stones carried over one or both bridges,	3	4
„ butt, hogshead, or barrel of vinegar or beer, brought from without the liberties,	0	2
„ hogshead of wine, so brought by land,	0	6
„ butt or pipe of wine, so brought,	1	3
„ barrel of herrings, hogshead of pilchards, or cask of oil, so brought,	0	2
„ horse load of fish so brought,	0	1
„ hundred of dried hake so brought,	0	2
„ hundred of cod or ling so brought	0	4

TOLLS and DUES to be PAID for the different MARKETS in the CITY of CORK.

Root and Potato Market Dues.

	s.	d.
Each kish of potatoes brought to market to pay	0	2½
Each butt or car-load,	0	2
Each horse-load,	0	1
Each basket of greens,	0	0½

Standings held with these Markets.

A table of fish or meat, &c., per day,	0	1

Fish Market Dues.

Each person bringing one horse-load of fish to said market in a day, to pay,	0	3
If more than a horse-load, then to pay for each horse-load,	0	2½
Each butt or car-load so brought,	0	4
Fresh hake, coming in bulk by boat or otherwise, per score,	0	1
Fresh herrings and mackerel, by the hundred,	0	1
A basket of fish, brought on a man or woman's back,	0	1
Salmon from the river of Cork, to pay for standing, per day,	0	1
Each basket of salmon brought to said market for sale by any person not having a stall, to pay	0	1
A small basket of cockles brought to said market for sale,	0	0½
A large basket so brought,	0	1

Fowl, Egg, Butter, and Frieze Market Dues.

Small live fowl, each half dozen, or any less number than six, and so in like proportion for any greater number, counting from half dozen to half dozen,	0	0½
Ducks, turkeys, and geese, each half dozen, or any less number, and so in like proportion for any greater number, counting from half dozen to half dozen,	0	1
Each load of small dead fowl brought to said market,	0	1½
Each load of ducks and large dead fowl, so brought,	0	2
Persons who do not bring dead fowl constantly to market for sale, for six small dead fowl, or any number under so brought to market, and so in like proportion for any greater number, counting from six to six,	0	0½
For ducks and large dead fowl so brought, being six, or any number under, and so in like proportion for any greater number, counting from six to six,	0	1
Tripe women, for standing in the season time, per week,	1	0
At all other times,	0	6½
Butter women to pay for standing, per week,	1	0
Pudding women, to pay for standing, per day,	0	1
Lemon women, per week,	0	6
Roasting pig women, standing in this market, per day,	0	1
Standing in Frieze market, per week,	0	6

South Meat Market and Standings.

Each kish-load of potatoes brought to said potato market,	0	2½
Each butt-load or car-load of potatoes so brought,	0	2
Each horse-load so brought,	0	1
Standings inside and outside the market, to pay as usual.		

	s.	d.
South Milk Market Dues.		
For each car, butt, or horse-load, morning and evening, . . .	0	0½
North Meat Market and Standings.		
Each kish-load of potatoes brought to the potato market, . .	0	2½
Each butt, or car-load of potatoes so brought, to pay . . .	0	2
Each horse-load so brought, . .	0	1
Standings inside and outside the market to pay as usual.		
North Milk Market Dues.		
For each car, butt, or horse-load, morning and evening, . . .	0	0½
Blackpool Market.		
Each kish-load of potatoes brought to this market, . . .	0	2½
Each butt or car-load so brought, .	0	2
Each horse-load so brought, . .	0	1
Each car, butt, or horse-load of milk, morning and evening, . .	0	0½
The duties of the fowl, egg, butter, frieze, and bandle-cloth markets—the duties of the standings outside the north gate—the duties of the standings outside the south gate—the duties of the root and potato markets, and the duties of the shambles and standings at Blackpool, for each standing, per day, ...	0	1
The Mayor's Dues.		
Every ship or vessel, from 20 to 30 tons, the major part laden with coals, to pay six bushels.		
Every ship upwards of 30 to 50 tons, the major part laden with coals, to pay nine bushels.		
Every ship upwards of 50 tons, the major part laden with coals, to pay twelve bushels.		
For every vessel as above, that is but half laden with coals, to pay but one-half of the above-mentioned fees, and so in proportion for a less quantity.		

CORK,
25*th November*, 1852.

317.
Denis F. Mahony.

3551. Have you ever claimed tolls thorough?—No; but we claim a right of toll-traverse by immemorial usage, and there was a trial of our right in 1822, which we succeeded in. The freemen of the city of Cork, who possessed the freedom of the city previous to 1835 are exempt from this toll. The above charter is the last grant under which we claim, except the 49th clause of an Act passed in the 26th year of George the Third's reign, cap. 28, for building Patrick's bridge, in this city, which runs thus:—"Provided always that nothing herein contained shall extend or be deemed, construed, or taken to extend to prejudice, or affect, or prevent, or hinder, the mayor, sheriffs, or commonalty of the city of Cork, from demanding and receiving the usual and customary tolls and duties payable to the mayor, sheriffs, and commonalty of said city, as they have heretofore received the same; but the said mayor, sheriffs, and commonalty, and their successors, shall have power and be at liberty to receive the tolls, duties, and customs, paid to, and received by them, in such manner as has been usual and customary in said city, and the suburbs thereof." This clause empowers the Corporation to collect the tolls that were then customary, that is which they were in the habit previous to that Act of receiving, and this toll-traverse was a customary toll that the Corporation was in the habit of receiving, previous to the passing of that Act. It is, therefore, upon a right acquired by usage, from time immemorial, recognised by various charters, and particularly by that of the 7th year of Charles I., as well as by the 49th clause of the 28th of George III., which I before referred to, that the Corporation claim a toll-traverse on every thing entering this city by land, for it does not give us a right to levy upon articles coming in by sea.

John Lovekin Kemp examined.

318.
John L. Kemp.

3552. What is your occupation?—I am employed by the Corporation to superintend the collection of the tolls charged upon all articles entering the city by land. These tolls are levied whether the articles are sold in the city or not. I have levied them since 1830. They are not let to any one.

3553. If goods come by sea, would they be charged this toll?—No.

3554. How are these tolls collected?—The collectors are most respectable men, who would not charge more than they were entitled to do, and they assess the tolls as well as they are able, without weighing the articles. The articles charged are then taken to the market and weighed, and if it appears by the ticket given by the ingate toll collector that too much has been charged, the amount so overcharged is returned to the farmer. The Corporation formerly, in addition to these ingate tolls, had a corn market, and could levy another set of tolls in it; but a person sending in corn was not then obliged to weigh in the market.

3555. Do you levy all the tolls that appear in the list you have handed in?—I do not. For instance, I do not charge for milk coming in, or several other things that I am entitled to charge for.

3556. Does each collector keep a book and give a docket of what he charges to the farmer coming in?—He does, and there is a toll-board up at each entrance, so that the farmer sees at once whether he is overcharged or not.

3557. Is there any charge for eggs?—They are not charged by name, but under the head of packed merchandize—[*Witness produced a book kept at one of the entrances of the city.*]

3558. Are cattle charged on entering the city?—They are, and the ticket received from the farmer in the market is compared with the block in the possession of the collector; thus a sufficient check is kept upon the latter.

3559. How are these tolls applied?—They are applied as directed by the 3rd and 4th Victoria, in the improvement of the city, but principally in improving the markets. Within the last few years we have expended £20,000 on markets.

CORK, 25th November, 1852.

318. John L. Kemp.

3560. You state that you charge for eggs as packed merchandize; under that head you might charge for every kind of goods coming in?—We charge toll on nothing but positive *bona fide* merchandize.

3561. Are your tolls Irish or English currency?—Properly speaking, they are Irish, but we make no reduction for the difference between Irish and the present currency, unless the toll amounts to 2*d.* Irish, and then we charge only 1½*d.* English currency.

3562. Do you charge toll upon goods coming in by railway?—Yes, just the same as if they came by cars. The present terminus of the Great Southern and Western Railway is outside our toll-bar, and the goods brought by it come into the town on carts, and are charged like any other goods.

3563. What is the gross amount of these ingate tolls received by the Corporation?—The gross amount received last year was £4,863, and the expenses of collecting, £1,136; the freedoms were £842, and the net produce £2,884. I hand in a return, showing the amount received and expended:—

Tolls, Year ending August 21, 1852.

			£	s.	d.
Gross entries,			4,863	18	11½
Freedoms,			842	17	5½
	Gross receipts,		£4,021	1	6
Wages,	£1,939	19 0			
Rents,	76	16 9			
Repairs,	19	12 7			
			1,136	8	4
	Net,		£2,884	13	2

3564. Are the revenues increasing?—No; they have been falling off since the failure of the potato crop.

319. D. F. Mahony, esq.

Denis F. Mahony, esq., Solicitor to the Corporation, re-examined.

3565. Under what patent or authority are the fairs in Cork held?—Under a charter granted to the Corporation. The tolls have been, however, leased by the Corporation for a term, of which there are about fifty years unexpired, and they are now held by a Mr. John Newenham. The fairs are held outside the town in a fair-green. There are two fairs held in the year.

3566. When was the lease made?—I think in the year 1686, for a term of one hundred and ninety-nine years, at a yearly rent of £18 9*s.* 2½*d.* The Corporation can oblige the lessee to hold two fairs in the year, and they have no other charter by which they can hold a fair. There is no clause in the lease obliging the lessee of the fairs to hold them in a proper place.

3567. Are tolls paid by the buyers or sellers?—By the buyers in every instance, and only upon the cattle that are sold.

320. John M'Carty.

John M'Carty, Superintendent of the Tolls of the Fairs, examined.

3568. Is there any form of oath administered to people leaving the fair with cattle?—Not now. They used, about six years ago, to make any driver who said his cattle were not sold, touch a piece of paper, but the custom is quite abolished.

3569. Do they get as much tolls since this system was abolished?—I think they do.

3570. Is the fair-green in good order?—I think it is for the last four years, since Mr. Wise got the management of it, and I think the approaches also are sufficiently well kept; there is a great ascent into it by the principal entrance, which is inconvenient; there are no large stones scattered over the fair-green as far as I know.

3571. Do you consider the fair-green is a proper one for a city like Cork?—I cannot say whether it is or not.

3572. Have you heard of accidents occurring to sheep or cattle going into the fair?—I have very often; there are some holes in it.

3573. Is it enclosed?—No; it is not exactly enclosed.

3574. Are you employed by the Corporation?—No; I have nothing to do with the fair for the Corporation.

321. St. John Jefferyes, esq.

St. John Jefferyes, esq., examined.

3575. Have you any observations to make respecting the fairs held here?—Yes; I wish to state that I consider it a disgrace to the county. The fair-ground is in a shameful state with holes and stones, the approaches also are in a state of inconceivable confusion; the cattle, sheep, and pigs, are huddled up together, and the horses are wandering about the fair, so that they run a very great danger of being injured, by the large holes, of which the fair-ground is full.

3576. Are the tolls reasonable?—I consider the tolls levied altogether unreasonable, considering the accommodation afforded; I think the proprietor of a fair ought always to provide proper accommodation, or not be allowed to levy tolls; and, in Cork fair, I think no tolls ought to be levied, on account of the want of accommodation there.

3577. Do you not think it would be better to levy a small toll upon all cattle entering the fair, instead of the present system of levying them?—I think it would; I wish to state that as far as the fair-green here is concerned, it is not possible to go up to it in any sort of a carriage.

3578. Do you think that any more fairs are required?—I think the present two fairs are a sufficient number for Cork, as there are two cattle markets held every week, on Mondays and Thursdays; the present fairs are held in May and October.

Daniel Meagher, esq., examined. 322.

Daniel Meagher, esq.

3579. Have you any observation to make?—I wish to state that the Corporation established a fair, in order to accommodate the public, but the fair was not attended, and they were obliged to give up holding it; they held it twice a year, for two years, not upon the same days as the other fairs were held, and it did not answer, as no cattle came to it. The ground afforded by the Corporation was very good for the purpose; we charged no tolls, and are ready now to afford the same accommodation, and hold it again at a mere nominal toll.

John Lovekin Kemp re-examined. 323.

John L. Kemp.

3580. How often is the cattle market held?—Twice a week, Mondays and Thursdays.

3581. How is the toll collected?—It is collected upon cattle going into the market, and if they are not sold it is returned to the owner of the cattle; it is collected at the entrance of the town.

3582. Have you heard any complaints as to the mode in which this toll is collected?—Never; there is another toll paid by the butchers slaughtering cattle in their yards. The following are the tolls charged.—[*Witness handed in a Schedule, same as handed in by Mr. Mahony.*]

3583. Are those markets largely attended?—They are; the year ending 31st of August, 1850, there were 31,000 pigs, 27,000 sheep, and 9,357 cows. I hand in a return of the quantity sold in the market for the last three years:—

RETURN of PIGS, SHEEP, and COWS, Sold in CORK CATTLE-MARKET, for three years.

	£	s.	d.
Year ending August 31, 1850, Pigs, 31,537 at 1*d.*	131	8	1
" Sheep, 27,113 at ½*d.*	56	9	8
" Cows, 9,357 at 3¾*d.*	146	4	1
	£334	1	10
Year ending August 31, 1851, Pigs, 36,663 at 1*d.*	152	15	3
" Sheep, 18,909 at ½*d.*	39	7	10
" Cows, 6,986 at 3¾*d.*	109	3	1
	£301	6	2
Year ending August 31, 1852, Pigs, 31,636 at 1*d.*	131	16	4
" Sheep, 15,354 at ½*d.*	31	19	9
" Cows, 6,093 at 3¾*d.*	95	4	0
	£259	0	1

3584. Do these numbers include the slaughtered cattle?—No, we take no account of them; but they are not near as large a number as they were; the number of cows and sheep sold in the market is falling off every year since the potato blight, which, I must observe, is worse in this part of the country these last two years, than it was in 1850. Cattle brought in for exportation do not pay tolls, and if they do, the toll is returned as soon as it is ascertained that they are to be exported. There used to be very little accommodation, and the Corporation held a meeting for the purpose of receiving suggestions as to how it could be improved; several country gentlemen attended that meeting, and made suggestions for the improvement of the market-place, which were adopted and carried out by the Corporation.

3585. Is the market-place convenient?—I think it is; it is on a hanging level, and is rather dirty; there is, however, a strong current of water running down it; the rise in it is about thirty feet at the highest point; I think the incline is an advantage, as it prevents the ground being so dirty. The pens and sheds built in it were put up according to the suggestions of the country gentlemen who attended the meeting held by the Corporation, which I mentioned before.

3586. Are there any cattle factors or salesmasters in the market?—No; the farmer sells his own cattle there.

3587. Are the approaches to the market good?—Not very; they are rather narrow, but the Corporation purpose having better approaches made. There is, I think, very good accommodation in the market-place, and country gentlemen have the use of an office, which is near the gate; if the country gentlemen wanted more office accommodation, the Corporation would have it provided for them at once. I must also add that the mayor here has the pigs examined to see that they are not measly, and there is a charge of 1*d.* for each pig so examined. The buyer is not bound to have a pig examined if he does not choose, and then he has not to pay this charge.

St John Jefferyes, esq.

St. John Jefferyes, esq.—I beg to state, that in my opinion the cattle-market is most disgraceful, it is as bad as the fair-green, and would require about £1,000 to put it in proper order. I think there is office accommodation very much required by the country gentlemen to transact their business in the market.

CORK, *25th November*, 1852.

324. John M'Carthy.

John M'Carthy examined.

3588. Under whom are the potato markets held?—Under the Corporation; there are no tolls charged upon potatoes entering the city. There are five potato markets held in Cork.

3589. Are all the potatoes sold in Cork, sold in these markets?—No; a great deal of them are sold at the private stores and in the streets, as we have no power to compel them to be brought into the market for sale; I never heard of any person being obliged to do so.

3590. What are the tolls charged on potatoes?—There is a toll of $1\frac{3}{4}d.$ a butt in addition to a weighing charge of 4*d.* a butt. Each butt, or cart-load, averages from fifty to sixty weights of twenty-one pounds each. These markets do not pay their expenses.

3591. Is toll charged upon potatoes whether they are sold or not?—Toll is charged only if they are sold in the market; and the charge for weighing is only made if they are weighed there.

3592. What is the system of weighing in the potato markets?—We weigh with just a turn of the beam, and make no deductions for beamage or any thing, else; they are weighed in small quantities of twenty-one pounds each, which we call a weight of potatoes; they are never weighed in sacks. I have to remark, that formerly there was a silly prejudice against storing or forestalling, which does not exist now, that people are better informed.

3593. What quantity of potatoes is sold in the market here in a year?—I hand in a return, showing the quantity of potatoes sold in Cork market, from June 30, 1844, to the present year; and also a return of cattle exported from Cork, from 1845 to 1852:—

RETURN of the QUANTITY and PRICE of POTATOES brought into the Potato Markets of CORK.

Year ending	No of Butts, averaging 60 weights of 21 lbs. each.	Price. White Potatoes.	Price. Minion Potatoes.
June 30, 1844,	44,785	s. d. s. d. 0 $2\frac{1}{2}$ to 0 $6\frac{1}{2}$	s. d. s. d. 0 $3\frac{1}{2}$ to 0 $7\frac{1}{2}$
„ 1845,	43,323	0 $3\frac{1}{2}$ „ 0 5	0 4 „ 0 7
„ 1846,	34,392	0 5 „ 1 0	0 5 „ 1 4
„ 1847,	4,888	0 7 „ 2 6	1 0 „ 2 6

Year ending	No of Butts, averaging 60 weights of 21 lbs. each.	Price when supply was greatest. White Potatoes.	Price when supply was greatest. Minion Potatoes.	Price at close of season. White Potatoes.	Price at close of season. Minion Potatoes.
		s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.
„ 1848,	9,373	0 10 to 1 0	1 2 to 1 3	0 11 to 1 3	1 3 to 1 7
„ 1849,	12,391	0 5 „ 0 8	0 7 „ 0 9	1 3 „ 1 6	1 8 „ 2 0
„ 1850,	13,801	0 5 „ 0 6	0 6 „ 0 7	0 10 „ 1 0	1 4 „ 1 6
„ 1851,	14,477	0 5 „ 0 7	0 8 „ 0 9	0 10 „ 1 0	1 0 „ 1 4
„ 1852,	11,036	0 6 „ 0 7	0 9 „ 0 10	0 8 „ 0 10	0 11 „ 1 0

JOHN L. KEMP.

RETURN of CATTLE, &c., EXPORTED, for the following Years:—

—	Cows.	Sheep.	Pigs.	Calves.	Horses.
1845	5,401	48,744	73,308	263	—
1846	6,050	20,750	78,224	248	—
1847	17,532	88,010	19,510	204	325
1848	12,830	58,221	12,523	731	1,626
1849	17,020	50,299	8,719	1,086	3,105
1850	11,997	19,075	16,310	1,018	1,762
1851	5,629	5,402	14,295	332	1,679
1852	2,934	3,540	21,923	348	432

JOHN M'CARTHY.

325. John Delay.

John Delay examined.

3594. What is your occupation?—I am weighmaster to the hide market.

3595. What are the charges in that market?—The charges are, 2*d.* for every cow-hide that is weighed and inspected in the market; 6*d.* per dozen for calf-skins, if green and salted; and 3*d.* per dozen for dried calf-skins, which last are only weighed and not inspected. Any butcher who slaughters in Cork, must sell the skins and hides in this market.

3596. What are the gross receipts of this market?—They amount to about £320 a year. The market-place is very convenient, and the greater part of it is covered over. I beg to hand in an account of the number of hides and skins sold in this market from 1830 to 1852; also the amount received for inspection and weighing for the last three years.—[*Hands in two returns, annexed.*]

[RETURNS.

Number of Hides and Calf-skins Weighed and Inspected at Cork Hide and Skin Crane during the following Years, viz.:—

	Hides.	Skins.		Hides.	Skins.
1830, . .	27,461	92,209	1842, . .	21,163	57,958
1831, . .	35,662	93,430	1843, . .	18,091	54,994
1832, . .	32,734	71,273	1844, . .	17,499	56,034
1833, . .	35,252	75,336	1845, . .	18,755	58,360
1834, . .	25,509	68,148	1846, . .	26,279	69,833
1835, . .	23,997	75,495	1847, . .	25,812	64,148
1836, . .	31,323	85,292	1848, . .	21,370	37,689
1837, . .	31,904	70,264	1849, . .	21,408	42,138
1838, . .	25,330	62,730	1850, . .	24,803	42,475
1839, . .	26,475	93,733	1851, . .	21,974	48,440
1840, . .	28,655	93,138	1852, . .	21,592	67,618
1841, . .	26,204	63,666			

Each Year begins on 1st April, and terminates on 31st March, following.

Number of Hides Weighed and Inspected at the Hide and Skin Crane, at a charge of two pence per hide.

		£	s.	d.
Year ending 31st March,	1850, . . 24,803 . .	206	13	10
„	1851, . . 21,600 . .	180	1	8
„	1852, . . 21,592 . .	179	18	8

Number of Skins Inspected at the Hide and Skin Crane, at a charge of one halfpenny per skin.

		£	s.	d.
Year ending 31st March,	1850, . . 42,473 . .	88	9	8
„	1851, . . 48,600 . .	101	13	6
„	1852, . . 67,618 . .	140	17	6

3597. Under whom is this market held?—It belongs to the Corporation, but it is in connexion with the butter market, and the Committee of Merchants pay the rent of it to the Corporation, and pay the salaries of the persons employed in it. There are two inspectors at £60 a-year each. The Corporation appoint the weighmaster.

3598. What deductions are made in weighing hides?—We weigh standing beam, and deduct two pounds from every draught of three hides; we deduct four pounds for the tails and horns, under the provisions of the 40th of Geo. III, cap. 100; and we weigh to a pound; there is an allowance made, also, by the inspector for the state of the skins; besides which, there are four pounds deducted from every hundred-weight of skins. I hand in a return showing the deductions, and also a return showing how the amount received from this market is expended:—

Deductions in Weighing at the Cork Hide and Skin Crane.

Two pounds per draught of three hides.
One pound when two hides are weighed in the draught.
No deduction when one hide is weighed, but down weight.
Two pounds per draught of thirty calf-skins.
Two pounds per draught of fifteen kips.
Two pounds per draught of fifteen veal-skins.
When less than a draught is weighed one pound is deducted.
Single skins are weighed standing beam.

John Delay, *Weighmaster.*

November, 24, 1852.

1852,				£	s.	d.
21,592 Hides, at 1*d.*, ...				89	19	4
47,618 Skins, at ¼*d.*, ...				70	8	8
				160	8	0
Weekly labour, . . .	£58	13	11			
Inspector, . . .	60	0	0			
Weighmaster's salary, . .	30	0	0			
				148	13	11
To credit of Committee of Merchants,				£11	14	1

Frederick Honan examined.

3599. What is your occupation?—I am secretary and treasurer to the Committee of Merchants.

3600. What are the gross receipts of the hide market in this city?—They amounted, last year, to £320, of which the weighmaster gets one-half, and £30 a year in addition, as salary. The Committee receive the other half, and pay out of it the secretary, inspectors, and clerk. The weighmaster pays out of the half he receives £60 a year, the rent of the market, to the Corporation.

CORK, 25th *November*, 1852.

Edward Slattery examined.

327. Edward Slattery.

3601. What is your occupation?—I buy hides in this market.

3602. Have you any information to give, or observations to make, as to the management or improvement of this market?—I sent an anonymous letter to the Commissioners, which I beg leave to hand in as my evidence with regard to the hide market, in Cork, viz.:—In the last year of the Irish Parliament an Act had been passed (amending a former Act) of establishing a market for hides and calf-skins, and appointing a weighmaster and inspectors, and regulating the market fees, &c., which empowered the weighmaster to compel all cow-hides and calf-skins in the city and liberties, and any such passing through same, to be brought into said market for inspection and payment of fees; and also empowering the weighmaster to inflict penalties on the owners for cuts or scars in either hides or skins (but this latter demand has been yielded three or four years ago, and is not now acted on), and in default of bringing said hides and skins into the market under penalties of 10*s.* per hide, and 5*s.* per skin. It also empowered the weighmaster or his assistants, on the mayor's warrant, to enter any premises where he suspected those goods to be that had not passed through the market, to seize them, and to make it onerous on the holder or owner to prove, on the oaths of two creditable witnesses, that those hides and skins had been passed through the market in the regular way, and paid the fees; and although the holder may have the duplicate or ticket issued with them (setting forth the weight and quality), still he would get no credit for it, if the weighmaster chose, unless proved on the oaths of two witnesses. This mode of proof is impossible, inasmuch as if the hides and skins had been laid in a store where there were the like goods, they could not be identified, as there are no marks put on them whereby they may be known by the weighmaster or his assistants; consequently, in order to obtain available proof, they should be watched by two creditable persons both day and night, which is both an absurdity and an impossibility, for very often two disinterested persons may not be cognizant of such transactions at all. These unjust and arbitrary clauses are still acted on.

To parties who buy hides and skins for exportation, weighing or inspection can be of no service, as the quality is not attached to the goods; nor even to buyers out of the city, because they could be changed, and others substituted in their stead, unless taken direct from the market.

If a person goes from here to the country, as it frequently happens, and buys those goods on his own judgment, brings them home at his own expense, which may be very considerable, he must take them to the market, and have them weighed and inspected, which he does not want, as it can be no use to him then, no matter whether he tans or exports them. Dried calf-skins are all exported from here to England. Weighing or inspection can be of no sort of use to the buyer or seller of them, yet they must pay the market fees of weighing.

328. Sir Wm. Hackett.

Sir *William Hackett*, the Mayor of Cork, examined.

3603. Do you wish to make any observations upon the evidence that has been given with regard to the hide market?—Yes, I wish to say that I do not concur with the last witness; I think a hide market is necessary, and I think the present one a very good one. The only thing I think can be objected to, is the practice of making hides that are bought in the country pass through the Cork market if they are brought at all into the town. I think the Act under which it is held is perfect, except in this respect. I think it is a hardship to make the hides I have spoken of, bought for shipment, pass through the market. But I am of opinion, that for all sold in the town the hide-crane should be used. The system, however, cannot be altered without an Act of Parliament. With regard to the rent paid to the Corporation for the ground, the Committee of Merchants only pay the Corporation the rent that is paid by the latter for the ground upon which the market is held, so that the Corporation derive no profit from the rent they receive. There are penalties in the Act mentioned by the last witness for cutting and ruining the hides, but they have not been latterly enforced, and, in consequence, the hides are so badly taken off the animals, that they are very frequently nearly useless for the purposes of trade. I think these penalties ought to be enforced.

329. J. Bennett, esq.

J. Bennett, Solicitor, esq., examined.

3604. Have you any thing to add to the evidence given?—I beg to say, that the powers given under the 8th of George the First, though large, are necessary. It is necessary to make some deductions for the dirt and blood, which, but for the inspection, would greatly increase on each hide. It is, therefore, found necessary, from time to time, to inspect, and adopt the measures prescribed by this Act, as, only for the moral effect produced by this Act being held over them, *in terrorem*, the hide would be in almost every instance sacrificed by the butcher to improve the appearance of the beef.

330. Wm. Sarsfield, esq.

William Sarsfield, esq., examined.

3605. Do you wish to state any thing to us as to the system upon which the hide market is conducted?—I beg to say, that we, agricultural people, want all deductions and allowances in selling and weighing hides to be done away with at the market, and that the price should be regulated according to the quality and state of the hide. We do not at all object to a market, under an efficient inspection and weighing, but would retain all these, as we consider them most useful, and advantageous to all honest dealers.

CORK,
25th November, 1852.

Bryan Hennessy, esq., examined.

331.
B. Hennessy, esq.

3606. What is your occupation?—I am one of the largest buyers of hides in Cork. I can state, that in consequence of the inspection made in the Cork market, there is a much larger export trade from Cork than from Limerick or any other port in Ireland. The Cork hides are much easier to sell in England, owing, entirely, to the efficient way in which they are inspected. There are no hides better taken off than the Cork ones. In England they prefer, in all cases, getting hides that have passed through Cork market. The inspector's decision is generally decisive between the parties; but if one of them feels aggrieved, he can summon a butcher and merchant to decide if the hide or skin is properly marked.

3607. Would you be in favour of abolishing all allowances and deductions?—I do not think the deductions can be fairly objected to, as they are made entirely according to the state of the skin. If the hide is clean, there is little taken off; but if dirty, the deduction is larger.

332.
AldermanD.Murphy

Alderman *Daniel Murphy* examined.

3608. Have you any suggestions to offer?—I am of opinion, that the Acts under which the Committee manage the hide market in Cork ought not to be repealed, as the fact that they have power to enforce the penalties—even though they do not impose penalties—has a salutary effect. I also agree with the last witness in thinking the inspection and allowances made in the market has a very good effect, and the system is found to work well. If hides were allowed to go into every store without passing through the market, such a system would, I am sure, be productive of fraud. There is no doubt that Mr. Slattery, and other respectable merchants would not be guilty of fraud, but others might. The penalties hanging over them has a good effect upon some of them. I think the trade in hides is better conducted in this town than in any other that I know. A merchant here can enter into a contract with a party in England, as he knows that from the way the trade is carried on here, he will be able to provide himself with a sufficient number of proper hides to keep his engagement. There is a deduction made for horns, whether the hide has horns upon it or not; but there is not above one hide in 500 without horns; and in this case the inspector only deducts four pounds instead of six pounds.

333.
Patrick Hegerty.

Patrick Hegerty examined.

3609. What is your occupation?—I belong to the firm of Hegerty, Brothers, who deal largely in the hide trade. I would prefer to pay 3*d.* a calf-skin than to have the inspection in the market done away with. The trade could not go on if the charge for dry and other calf-skins were done way with, as the market could not be properly supported without these fees; and if there was no market and inspection, there could not be the stringent bye-laws there are now. Even as it is, there are persons who ask the owner of a hide what he is going to take for it, and offer him only half the value of it, and thus he would be robbed only for having the market to sell it in, where he can ascertain, and get the value of his property.

334.
W. R. Meade, esq.

W. R. Meade, esq.—I beg to be allowed to make a few observations with regard to the corn market. In the first place, I wish to state that I endeavoured to put a stop to the system of deducting beamage, under the provisions of the Act, by which it is prohibited, but could not succeed in obtaining a conviction, as there was no power of conviction in the Act. I think it right to call your attention to the necessity of providing a form of conviction in any Act that may be grounded upon the report of this Commission. I also think there ought to be an equal number of county gentlemen and merchants upon the committee who has the management of the corn market. I also beg to hand in a copy of a memorial, sent some years ago by the Agricultural Society of this county, to the Lord Lieutenant, which contains the opinions and suggestions of most of the leading country gentlemen of this county:—

To His Excellency Earl De Grey, Lord Lieutenant-General and General Governor of Ireland, &c.

The Memorial of the undersigned Members of the Cork Agricultural Society.

Respectfully sheweth,

That your memorialists, relying on the disposition of Her Majesty's Government to promote every measure tending to develop the agricultural resources of Ireland, are induced to address your Excellency on the abuses connected with the sale of corn, and other agricultural produce in this country, with a view to their removal by legislative enactment.

That most of these abuses appear to your memorialists to arise from the system of deduction, or allowances, under the name of beamage, tret, &c., differing in almost every town and market of Ireland, as will appear by the accompanying statement, and also in the several millers' stores throughout the country.

That your memorialists are not aware that this system can be productive of any advantage to the fair purchaser, whilst it is calculated to excite suspicion and distrust in the minds of the seller. They, therefore, believe it to have led to the very worst results, being in all cases arbitrary and unjust in its operations; and in remote districts they have every reason to suppose that it has been extensively used as an instrument of fraud.

CORK, 25th November, 1852.

334.

W. R. Meade, esq.

That the 25th of George II. cap. 15, having been found insufficient to put a stop to these abuses, your memorialists are of opinion that, in order to create uniformity and regularity in the markets of Ireland, as well as to afford protection and security to agricultural industry, a new legislative enactment is absolutely necessary for the purpose of controlling and regulating the sales of corn in Ireland, by imperial standard weights, without allowances or deductions of any kind, and also for having all market sales made final and conclusive as to quantity, quality, and price, under severe penalties, to be recovered by summary proceedings at petty sessions, from the party violating their terms of agreement.

That your memorialists would also consider it beneficial to the farmers of Ireland were an Act passed, authorizing the Lord Lieutenant, Grand Juries, or other public bodies, to erect markets for the sale of corn, and other agricultural produce, in such towns as may make application for the same, with the power to prohibit the sale of corn, &c., in said towns, except within the limits of the markets; and also to raise money, levy tolls, and to make regulations for the Government thereof; and likewise enacting that all Boards that are now, or may be hereafter established, for regulating markets for the sale of agricultural produce in Ireland, shall be composed of an equal number of traders, and of persons engaged in agricultural pursuits, notwithstanding any law or usage now in existence to the contrary.

Your memorialists would therefore pray that your Excellency will, in the next session of Parliament, cause a measure to be introduced, founded on the foregoing recommendations.

The following are the statements referred to in the memorial, taken from the *Dublin Monitor* newspaper:—

Dublin.

Corn.—Corn is weighed by the purchaser by the single barrel, with the full turn of the beam, deducting the following tret:—

Wheat, per barrel, of	20	stone,	2lbs.	tret.
Barley,	16	„	2lbs.	„
Oats,	14	„	2lbs.	„
Rapeseed,	16	„	2lbs.	„

Butter.—Butter is weighed standing beam, deducting two pounds per firkin, beamage. The nominal difference between the value of the qualities of first and second is 6*s.*; second and third, 8*s.* per hundred-weight.

Pork.—Pork is weighed by the single pig, at the rate of 112 pounds per hundred-weight, deducting two pounds beamage, and four pounds per pig, tret.

Beef.—Beef is weighed by the side, at the rate of 112 pounds per hundred-weight, deducting two pounds beamage, and tret, eight pounds per carcase.

Cork.

Corn.—All corn is weighed in the public market, and farmer charged for wheat 2¾*d.*; barley, 1½*d.*; oats, 1*d.* per barrel. The following beamage and tret are deducted:—

Wheat, per	112lbs.,	2lbs. beamage, and	2lbs.	tret.
Barley,	112lbs.,	2lbs. „	2lbs.	„
Oats,	112lbs.,	2lbs. „	2lbs.	„

When weighed out of boat, the turn of the beam is given, with the following deductions:—

Wheat, per barrel, of	20	stone,	7lbs.	tret.
Barley,	16	„	4lbs.	„
Oats,	14	„	4lbs.	„

Charge for weighing wheat, 1½*d.*; barley, ¾*d.*; oats, ½*d.* per barrel.

The corn is sold through brokers, to whom the merchant pays, on wheat, 6*d.*; barley and oats, 4*d.* per barrel.

There are employed in the public market twenty pairs of scales, and the corn weighed before purchased, the farmer getting a ticket of the weight.

Butter.—The purchase of butter in this market is on a different system from all the other markets of Ireland, as money is advanced by dealers, or rather brokers, to the farmer some months previous to the butter coming to market, who also give firkins to pack the butter, and pay the weighing charges, which are 6*d.* per hundred-weight. When brought to market, the dealer is allowed an abatement of 8*s.* to 10*s.* per hundred-weight from the export merchant's price of the day, to cover the charges, advance of money, &c. Each firkin is weighed at standing beam at the public butter crane, deducting three pounds, and when the casks are coarse, four pounds per firkin, beamage. The usual difference between the qualities is 4*s.* per hundred-weight; but this is generally regulated by the demand for the respective qualities. On the dealer selling to the merchant, it is weighed with two pounds per firkin beamage.

Pork.—Pork is weighed in the public market at the rate of 112 pounds per hundred-weight, two pigs each draught, standing beam, deducting beamage, two pounds; tret, two pounds per pig.

Beef.—Beef is weighed at the rate of 112 pounds per hundred-weight, down weight, deducting eight pounds per carcase.

Limerick.

Corn.—Corn is weighed by the purchaser in the farmers' sacks, deducting as follows:—

Wheat, per barrel, of	20	stone,	7lbs.	tret.
Barley,	16	„	6lbs.	„
Oats,	14	„	6lbs.	„
Beans,	20	„	7lbs.	„
Rapeseed,	20	„	7lbs.	„

The smallest weight used is four pounds, unless it be a small bag of wheat, when two pounds are used. From wheat are deducted 2½*d.* per barrel, porterage. Not less than seven pounds of any kind of corn paid, and no half-pence. Barley and oats are purchased chiefly through brokers, the purchaser paying ¼*d.* per stone brokerage.

Butter.—All butter weighed at the public crane, deducting four pounds per firkin, beamage, if under eighty-four pounds; at or over this weight, five pounds. The usual difference between first and second qualities is 4*s.*; second and third, 6*s.*; third and fourth, 6*s.* per hundred-weight.

Pork.—Pork is weighed by the purchaser at the rate of 112 pounds per hundred-weight, standing beam, deducting two pounds beamage, and four pounds per pig, tret; 3*d.* per pig charged for porterage.

Waterford.

Corn.—The corn is weighed by the purchaser in the farmers' sacks, making the following deductions:—

Wheat, per barrel, of	20	stone,	4lbs.	tret.
Barley,	16	„	4lbs.	„
Oats,	14	„	4lbs.	„

Butter.—Butter is weighed at the public crane, standing beam, deducting two pounds per firkin, beamage. There is no general rule observed as to the difference of value between qualities. It

is nominally, first and second, 5*s.*; second and third, 6*s.* per hundred-weight.

Pork.—Pork is weighed by the purchaser at the rate of 112 pounds per hundred-weight, with the turn of the beam, deducting, when scaled, 7lbs. per pig, tret; porterage, 2*d.* per pig.

YOUGHAL.

Corn.—Corn is weighed by the purchaser in farmers' sacks, making the following deductions:—

Wheat, per barrel, of	20	stones,	7lbs.	tret,
Barley, „	16	„	4lbs.	„
Oats, „	14	„	4lbs.	„

The smallest weight used is four pounds.

Butter.—Butter is weighed with the turn of the beam, and three pounds beamage deducted. No regular value between qualities.

WEXFORD.

Corn.—Corn is weighed by the purchaser by the single barrel, in a box, making the following deductions :—

Wheat, per barrel, of	20	stones,	5lbs.	tret.
Barley, „	16	„	4lbs.	„
Oats, „	14	„	4lbs.	„
Beans, „	20	„	5lbs.	„

Less than 7lbs. not paid, but weighed to one pound.

Butter.—Butter is weighed in the public market, also by the purchaser, deducting two pounds per firkin beamage; no regular rule observed in the value of qualities.

Pork.—There is no regular market for pork.

TRALEE.

Corn.—Corn is weighed by the purchaser in the farmers' sacks, making the following deductions :—

Wheat, per barrel of	20	stones,	7 lbs.	tret.
Barley, „	16	„	8 lbs.	„
Oats, „	14	„	7 lbs.	„

The smallest weight used is four pounds, unless when insisted on by the seller of wheat, when one pound is used. Not less than seven pounds paid.

Butter.—Butter is weighed by the purchaser, deducting four pounds per firkin. The usual difference of value between first and second quality is 4*s.*, second and third 6*s.* per hundred-weight, but a large portion is sold by the firkin without reference to weight or quality.

Pork.—Pork is weighed by the purchaser at the rate of 112 lbs. per hundred-weight, deducting seven pounds for pig, tret.

GALWAY.

Corn.—Corn is weighed by the purchaser in the farmers' sacks, making the following deductions :—

Wheat, barrel,	20	stones,	if under	4 cwt.	7 lbs.	tret.
Do. „	20	„	if over	4 „	14 lbs.	„
Barley, „	16	„	if under	4 „	7 lbs.	„
Do. „	16	„	if over	4 „	14 lbs.	„
Oats, „	14	„	if under	4 „	7 lbs.	„
Do. „	14	„	if over	4 „	14 lbs.	„

The smallest weight used is seven pounds, and not less than seven pounds paid; 1*d.* per sack charged for delivery.

There is no butter or pork purchased for exportation.

WESTPORT.

Corn.—Corn is weighed by the purchaser in the farmers' sacks, making the following deductions :—

Wheat, per sack,	7 lbs.	tret.
Barley, „	7 lbs.	„
Oats, „	7 lbs.	„

The smallest weight used is seven pounds, and not less than seven pounds paid; there is no butter or pork purchased for exportation.

BALLINA.

Corn.—No wheat brought to this market; barley and oats are weighed by the purchaser in the farmers' sacks, down weight and no tret deducted; the smallest weight used is seven pounds, and not less than seven pounds paid.

SLIGO.

Corn is chiefly weighed by the purchaser, although there is a public market, where a small portion is weighed without any tret being deducted, some buyers adhere to this system, while others depart from it.

It is customary to deduct seven pounds for the sack; but if containing thirty-two stones, fourteen pounds are deducted; the smallest weight used is seven pounds, and not less than seven pounds paid; 1*d.* per sack charged for porterage.

Butter.—Butter is all weighed at the public crane, deducting two pounds beamage for every twenty-eight pounds. The difference of value between the qualities of first and second is 6*s.*, second and third 6*s.* per hundred-weight.

Pork.—Pork is weighed at the rate of 112 lbs. per hundred-weight, with an allowance of ten pounds per pig, and 2*d.* porterage.

DERRY.

Corn.—All corn is weighed in the public market, the farmer being charged 2*d.* per sack, and the following deductions made :—

Wheat per sack,	20	stones and upwards,	7 lbs.	tret.
Barley, „	20	„	7 lbs.	„
Oats, „	20	„	7 lbs.	„
If under, „	20	„	5 lbs.	„

Weighed to a pound, and not less than seven pounds paid.

Butter.—Butter is all weighed at the public crane, deducting one pound per firkin. The difference in value of first and second is 4*s.* 8*d.*, and second and third seven pounds per hundred weight.

Pork.—Pork is weighed by the purchaser at the rate of 120 lbs. per hundred-weight, deducting eight pounds per pig, tret.

BELFAST.

Corn.—Wheat is all weighed by the purchaser; but some portions of barley and oats are weighed in the public market, and the following deductions made :—

Wheat per cwt. of	112 lbs.,	1 lb.	tret.
Barley, „	„	1 lb.	„
Oats, „	„	1 lb.	„

Weighed to one pound, with a full turn of the beam.

Butter.—Butter is weighed at the public crane, two pounds per firkin deducted for beamage, difference between first and second qualities, 4*s.*; second and third, 8*s.*; third and fourth, 8*s.*, per hundred-weight.

Pork.—Pork is chiefly weighed by the purchaser, as there is not sufficient accommodation in the public market; it is weighed at the rate of 112 lbs. per hundred-weight, but paid at the rate of 120 lbs., deducting ten pounds per pig, tret.

NEWRY.

Corn.—Corn is weighed by the purchaser, in the farmers' sacks, as follows :—

Wheat, full weight,	taken without any tret deducted.	
Barley, „	and one pound tret.	
Oats, „	and 1½*d.* per cwt. deducted.	

The smallest weight used is four pounds, and paid to the pound.

CORK, 25th November, 1852.

334. W. R. Meade, esq.

Butter.—Butter is chiefly weighed by the purchaser, deducting four pounds per firkin when under eighty-four pounds; and five pounds when over this weight. The usual difference between first and second qualities is 7*s.*; second and third, 11*s.* 8*d.*; third and fourth, 16*s.* 4*d.* per hundredweight.

DROGHEDA.

Corn.—Corn is weighed by the purchaser in the farmers' sacks, making the following deductions:—

Wheat, per barrel of 20 stone,	2 lbs.	tret.		
Barley,	„	16	„	2 lbs. „
Oats,	„	14	„	2 lbs. „

Weighed to one pound, but not less than seven pounds paid.

There is no regular market for butter or pork. The butter shipped at this port is purchased at the markets in the interior.

335. J. Bennett, esq.

J. Bennett, esq., examined.

3610. Can you state the number of firkins of butter passing through the butter market in Cork?—Yes; I have procured a return, showing the number of full and empty firkins which came into this market for the last three years, which I hand in.

NUMBER of empty firkins weighed at the empty firkin crane, for which the cooper pays one halfpenny.

For the year ending, 1850,	274,599,	£572	1	8
„ 1851,	239,281,	498	10	0½
„ 1852,	297,958,	620	14	10

NUMBER of firkins of butter weighed at the Butter Exchange, for the weighing of which the farmer pays one halfpenny each.

For the year ending, 1850,	324,269,	£713	1	2½
„ 1851,	306,626,	638	16	1½
„ 1852,	316,962,	660	6	9

NUMBER of firkins of butter inspected and branded with the brands and marks of the Committee of Merchants, for which the farmer pays three halfpence each.

For the year ending, 1850,	342,269,	£2,139	3	7½
„ 1851,	306,626,	19,16	8	3
The portion of season of 1852,	316,962,	1,981	0	3

3611. Does the weighmaster get a ½*d.* a firkin upon all butter sold in the market?—He does, but he pays four assistant-weighmasters out of it.

336. J. Mahony, esq.

J. Mahony, esq., examined.

3612. What is the difference between currency butter and cant?—I will endeavour to explain it: The price of butter, say to-day, is 82*s.*; the currency price is 73*s.* The Committee of Merchants have nothing to do with this; it is a private arrangement between the farmer and the butter buyer: the difference between 73*s.* and 82*s.* is 9*s.* The butter buyer gives the farmer two empty firkins, the cost of which is 3*s.* 6*d.* The butter buyer also pays the 1*d.* a firkin Corporation toll, and the toll of the market, which is 2*d.* per firkin; then he always pays 5*s.* over the currency price. Thus, instead of the 9*s.*, the difference between the currency price and the real price, I give him 5*s.* in cash, two empty firkins, worth 3*s.* 6*d.*, 2*d.* Corporation toll, and 4*d.* market toll.

3613. What is the object of this system?—I do not know the object of the system; but the practical effect is, that the butter buyer advances money to the farmer; and if I am in advance to the farmer at the time of the sale, I do not pay him the 5*s.* in cash. In case I am not in advance to him at the time the butter is sold, I give him the 5*s.* If I am in advance, I deduct the 5*s.* as a sort of discount upon the money that I am in advance; it is a practice of a particular district, as it were, the currency, by which the butter of that district is bought. The currency price is not always 9*s.* less than the other price; the difference between the two depends upon the price of the empty firkins. I advance the money on account of butter that is to come into the market, long before it comes in. I am a sort of banker to the farmer. This advance is a very great advantage to the butter farmer, as he is enabled to hold back his butter until the month of June, when the price is at the highest in the market, and he could not hold it over but for this accommodation.

3614. Do you make any other charge or deduction in the case of currency butter?—No, I do not make any other deduction, except those that are made from butter that is not purchased at currency price. I advanced money this morning to a farmer on butter that will not come into the market till next spring.

337. Wm. Sarsfield, esq.

William Sarsfield, esq., examined.

3615. Are you acquainted with the management of the butter-market?—I object to the deductions made from a firkin of butter; I altogether object to the mode in which the price of butter is regulated each day. The Committee who fix it consists of persons whose interest it is to fix a low price to the disadvantage of us farmers, who are not represented upon the Committee regulating the prices; I also think it not right that the inspectors should be elected, as they now are, by the buyers and the merchants, and that the farmers should have no voice in their election; in fact, I object altogether to the present system of the market, and the mode of conducting it.

Philip Cross, esq., examined.

CORK, *25th November*, 1852.

338. Philip Cross, esq.

3616. Are you favourable to the system at present pursued in the management of the butter-market in this town?—With respect to the report of the Committee of Merchants, which I heard read yesterday, I will merely say, that I trust it will be what it ought to be, the dying report of that body. Sir William Lyons called the system of the market a voluntary system between the merchants and farmers, but it was as much a voluntary arrangement as was generally made between the wolf and the lamb, as the volunteering was all on the side of the merchants and buyers, who did what they liked with the farmers. I challenge the Committee to show me a farmer from Shandon Steeple to Bantry Bay, who approves of the present system in the butter-market. The merchants settle the price of the butter, and the farmer must give it at what they offer. I do not deny the very great respectability, and the high character, which the merchants composing the Committee of Merchants bear; but I deny that they give satisfaction in the dealings of the butter-market. I never heard any one outside the city of Cork speak in favour of the Cork butter-market. I object to the mode of inspection; I do not consider it just that a person should appoint the man that is to pay him; yet the inspectors in the market, who are to decide between two parties, are appointed by one side. I can show that seventeen pounds is often deducted on two firkins of butter. Here is a ticket coming out of as respectable a house as there is in Cork in the butter trade, and by that there is three pounds deducted from the actual weight of the firkin; and the same merchant said it was usual to deduct sometimes four pounds instead of three pounds on a firkin. A dairy woman that I know had a firkin nearly seized and condemned, as not being in a fit state. The fact was, it had been a great deal soaked, and was black on the outside. I do not, of course, justify her for doing so; but it was done, I believe, merely in order to bring it up to the weight that was marked upon it.

I have been told by some of the merchants to put scalding water into the firkin, and it will set it right. I lately took care to have a firkin properly prepared, and there was fifteen pounds deducted for the weight of the cask. I had it stripped and weighed afterwards, and it weighed only thirteen pounds, and I ascertained it was marked as fifteen pounds, because the full firkin of butter weighed gross three quarters of a hundredweight. This, therefore, caused a dead loss of two pounds more of butter; had the cask really weighed only twelve pounds, it would still have been marked as fifteen pounds, and in that case three pounds would have been lost. This, added to the three pounds loss in the weigh-house made six pounds; and I believe, again, when a firkin is weighed in the weigh-house here, it is weighed without the head, and one pound is allowed for the head. I asked the inspector in the market to weigh the heads for me; after some little difficulty being made the heads were weighed, and I found that six heads, for which we were allowed only six pounds, weighed in reality nine pounds, so that I am justified in saying, that half a pound may be lost on the head of the firkin, which brings the deductions up to six pounds and a-half. Also, if a farmer sent in his butter soft, there was another pound often deducted by the inspector, for what they call the sponge, bringing the loss upon each firkin up to seven and a-half pounds, or fifteen pounds on two firkins. If I had calculated the first deduction at four pounds on each firkin, which, I am told, is often made, it would have brought it up to eight pounds and a-half on each firkin, and seventeen pounds on two firkins; as, however, it is denied that the first deduction ever exceeds three pounds, I am satisfied with showing that fifteen pounds of butter may be lost on two firkins by the system that prevails in the butter-market here. Another grievance is, that if I bring a firkin of butter to the weigh-house, and think I can get a better price at Kilfinane (as I have heard I could), I could not get it out of the weigh-house without paying for it, and having it inspected; and if I take it out then, it comes out like a branded thief. All I could do in that case would be to get an empty firkin, and move the butter into it, at a cost of 1*s*. 8*d*. In fine, I disclaim all matrimonial alliance with the Cork butter-market, and would prefer to be allowed to sell it myself in the market, and take it away if I wished to another market. I think I would approve more of the new Limerick system of making it optional to have the brand affixed; but making it compulsory to bring all butter sold in Cork into the market. Another complaint I have to make is, that if a farmer procures a country made firkin, he will have to pay 4*d*. a piece for branding them, while he will be charged only 2*d*. a firkin for branding Cork-made firkins. I believe the firkins are soaked in every dairy in the country, to make up for the tare charged. I beg to state, in conclusion, that I have the highest opinion of the character of the gentlemen who are on the Committee; but I do not approve of the system of the market.

Mr. *Symes* examined.

339. Mr. Symes.

3617. Do you wish to offer any suggestions to the Commissioners?—I wish to state that I got firkins often in Cork marked as weighing fifteen pounds, and these same, after soaking, weighed in the market only thirteen pounds; ever since I have had my firkins all made in the country.

Mr. *Sarsfield* re-examined.

340. Mr. Sarsfield.

3618. I beg to state that I always prepare my firkins as fairly as I can, and always lose, I am sure, a pound or two. It is unfair that the honest farmer should suffer for the frauds of the dishonest. I complain that it is the buyers and the export merchants that settle the price, and that the manufacturer, the farmer, is excluded from a voice in the matter. We would sell for ourselves if we were allowed.

CORK, 25th *November*, 1852.

J. Mahony, esq., examined.

341. J. Mahony, esq.

3619. I must state that in London the system is, to strip one firkin out of about one hundred, to see if it weighs what it is represented to do, and I always find there is more deducted for tare in London than in this market. With regard to the way the price is settled, it is fixed each morning. The export merchants compete with one another, and with the butter buyer, who is the agent of the farmer, and who endeavours to get the largest price he can. At the last appointment of an inspector for this market, we advertised, and used every exertion to obtain a competent person; and, I believe, the candidate who was the second favourite here, is now the inspector of the Sligo butter-market. In answer to the objection made, that the country gentlemen have no voice in our proceedings, I have to state, that formerly there was a number of country gentlemen admitted as members of our committee; and one of them stated to another gentleman, that after using every means to detect the members of the committee in any fraudulent practice, he had altogether failed in doing so; and added, "I think the butter merchants seem so honest, that they cannot be honest, will you tell me how I can find them out." The country gentlemen did not continue to attend, and so they ceased, after a time, to be members of the Committee.

S. Clare, esq., examined.

342. S. Clare, esq.

3620. Do you consider the Cork butter-market well conducted?—I have to state that I think, in general, the casks in which the butter is sold weigh more than they are branded. There is often additional cooperage added to them to make them heavier after the empty cask has been branded; also, you cannot pass a stream in this county without seeing several firkins soaking in it. I am in the habit of sending butter to London, and find that there is a much greater tare deducted there on the same firkin than there has been done in this market. The firkins are decanted there, and there is always a loss sustained by the exporter from the difference of tare allowed in London. The best way, I think, to test the weight of the butter casks, would be to decant them here, in the same manner as they do in London.

Sir *William Lyons* re-examined.

343. Sir William Lyons.

3621. I beg to state that it is in contemplation of the Committee of Merchants to try the system of stripping the butter, and weighing it, as is done in London. I wish also to state, that I had over 200 firkins myself in the market, which I could not sell; I had, therefore, to keep them myself, and send the money to the owners in the country. As a proof we do not neglect the interest of the farmers, the last quotation of butter in the London market is 80*s.*, and we this day got 82*s.* from the export merchants in this market.

Kilnn R. Wood, esq., examined.

344. K. R. Wood, esq.

3622. Where do you reside?—Near Charleville; I am a farmer, and sell butter extensively in this market. I attend to the sale of it here myself; I see it weighed and inspected, and I consider both properly and fairly done. I get Cork firkins in preference to country ones; I know it is the habit of the dairywomen to steep them, but my own dairywoman does not, and still I do not find the weight marked on the empty firkin too much. The reason people complain is, I have no doubt, because they do not keep their dairies in a proper condition, and, therefore, do not get as high a price for their butter as others. I visit the market constantly, and never saw any fraud practised by anybody in it. I consign my butter to parties here for sale, but attend the market myself to see it inspected and weighed. I think the management of this market, and the rules of it, do not work injuriously to the farmer. It is necessary to scald and soak the casks internally, to make them fit to receive the butter; and, after I have done so, I have always found them up to the weight branded upon them.

J. Sugrue, esq., examined.

345. J. Sugrue, esq.

3623. Do you think any change in the present system of the butter-market desirable?—No; the present is wholly under conventional arrangement, and works so well that I should be sorry to see any legal restrictions placed upon it. As a proof that it works well, we have the whole of the butter trade confined to it, on account of the very great advantages which the present system gives. With regard to the weight of the casks, there is no article so deserving of tret as butter. I have known a firkin of butter lose one pound weight between the weigh-house and my stores. There is a constant increase of butter in this market, in spite of the country markets. There was a firm named Croker, Lloyd, & Co., set up some time ago, as buyers and exporters, in Cork, where farmers could go and sell their butter direct for the London market, without the intervention of the buyers, or going into the market; greater evils were found to exist in this system than in the market system, and country buyers now prefer taking advantage of the market.

3624. Have you ever heard of seventeen pounds being dedueted from two firkins of butter?—Never; I have, however, heard of two pounds, tret, being deducted from the farmer by the butter buyer, who advances the money. It is the custom in some districts. The butter buyer in these districts takes two pounds of butter, together with interest upon the sums he advances to the farmer; the butter buyer, in these cases, requires a large profit to make up for the heavy losses he sustains.

CORK,
25*th November*, 1852.

346.
Thomas M'Auliffe.

Thomas M'Auliffe examined.

3625. Can you add anything to the evidence that has been already given?—I wish to give some information as to the mode of fixing the price in the market, which I think I cannot do better than by mentioning what occurred this day at the meeting of the Committee for fixing the price. Yesterday the market closed firm at 80*s.*, so that an improvement was expected to-day; soon after they met a sale took place at 81*s.*, and many sales took place at that price. Then there was some sold at 82*s.*, and as that was the highest price at which butter was sold at the meeting of the Committee, 82*s.* was fixed as the price of the day; and the first buyers who had bought at 81*s.* were obliged, notwithstanding, to pay 82*s.*, as it was the price of the day.

[*A copy of the Corporation accounts annexed*]:—

An Abstract of the Receipts and Expenditure of the Corporation of Cork, for One Year, from 31st August, 1850, to 30th August, 1851.

Folio.	*Borough Fund Receipts.* *Dr.*	£	*s.*	*d.*
193	Treasurer, balance last year's accounts,	191	14	8
88	Pipe water dividend,	150	0	0
251	Books sold by town clerk,	1	4	0
338	Police court fines,	166	4	11
368	Freemen's admissions,	5	5	0
371	Mayor's coal dues,	72	10	0
378	Grand parade markets,	1,390	12	10
379	Tolls and customs,	2,808	6	2
380	Out markets,	440	15	5
387	Corn market dues,	452	2	11
400	Rents received,	1,202	0	1
417	Loan, per the mayor,	600	0	0
413	City park receipts,	23	5	5
		£7,504	1	5

Folio.	*Borough Fund Expenditure.* *Cr.*	£	*s.*	*d.*
148	Public clock,	13	0	0
247	Hansard's Parliamentary papers,	16	12	0
251	Town clerk's office,	11	12	2
292	Law costs,	100	0	0
303	Pipe water for the poor,	154	0	0
318	Stationery and stamps,	13	7	2
319	North and South Main streets,	38	10	11
321	Lough,	4	16	2
326	Compensations,	110	13	8
330	Insurances,	10	5	0
338	Police court,	3	10	0
342	Advertisements,	97	2	6
345	City park,	73	19	3
347	Quay wall, Grand parade,	60	5	2
348	City charities,	125	4	0
352	Poor freemen's charities,	48	5	6
363	Repairs of houses,	32	4	5
367	Wide-street Commissioners' bailiffs,	63	13	0
370	Bazaar market,	1,840	9	3
375	Revision expenses,	316	9	8
377	Poor rates,	4	9	4
378	Grand parade markets,	848	7	4
379	Tolls and customs,	15	16	6
380	Out markets,	93	5	3
384	Salaries,	1,324	5	0
388	Pensioners,	93	12	0
389	Rents paid,	707	7	9
390	Mayor's office,	50	13	0
391	Mardyke parade,	35	4	10
393	Watch and ward committee,	25	0	0
394	Incidentals,	8	8	4
399	Bonds, interest, &c.,	503	9	1
401	Mayor, sundry orders of council,	185	10	6
403	Munster Agricultural School,	50	0	0
407	Corporation sergeants, &c.,	139	0	0
416	Regatta, Queenstown,	10	0	0
417	Loan fund,	6	17	6
421	Dorrington and Co., law costs,	23	8	0
410	Association for Native Industry,	25	0	0
409	Industrial school,	25	0	0
408	Packet station committee,	27	10	0
383	Lady's well,	4	14	4
376	Alexander Deane, for clerk of works,	33	4	0
373	Flag for crystal palace,	10	0	0
366	School of design,	100	0	0
360	Statue, Grand parade,	4	2	6
193	Balance to new account,	15	16	4
		£7,504	1	5

We have examined the above accounts and vouchers, and found all correct, leaving a balance in the Treasurer's hands of fifteen pounds, sixteen shillings, and four pence, which is carried into the next year's account.

Dated this twenty-fifth day of October, one thousand eight hundred and fifty-one.

J. L. Reeves, W. D. Bourke, } *Borough Auditors.*
Mark Collins, *Mayor's Auditor.*

Dan. Meagher, *Treasurer.*

CORK,
25th November, 1852.

346.
Thomas M'Auliffe.

RENTAL of the CORPORATION of the BOROUGH of CORK, from 1st September, 1851, to 31st August, 1852.

RECEIVABLE.

Folio.	From whom receivable.	Premises.	Annual Amount. £	s.	d.
2	Leslie O'Callaghan,	Quay North-west quarter Cork,	4	12	3½
3	Robert Carleton,	St. Laurence land, St. Laurence chapel,	1	12	3¾
4	W. W. Newenham,	North-east marsh,	1	19	7
5	Maurice Lane,	Part of North-east marsh,	0	19	9
6	Michael Roberts,	Part of North-east marsh,	1	9	8½
7	Reps. James Wallis,	Part of North-east marsh,	1	9	8¼
8	Reps. R. G. Hawkes,	Part of North-east marsh,	0	19	9¼
9	Reps. William Smith,	Part of North-east marsh,	1	19	7
10	W. W. Newenham,	Part of North-east marsh,	0	19	9½
11	W. K. Rogers,	Part of North-east marsh,	0	19	9
12	Lord Gort,	Part of North-east marsh,	1	19	7
14	Reps. James Wallis,	Maritime gate, city of Cork,	0	4	7½
15	Reps. N. Dunscombe,	South-east marsh,	9	4	7½
16	Robert French,	North-west quarter city Cork,	1	16	11
17	Reps. John T. Rye,	Watercourse, east side city wall,	11	1	6½
18	Reps. Joshua Beale,	New North wall, North-west quarter,	13	16	11
19	Robert Carleton,	Ferries over North river,	3	13	10½
21	W. M. Reeves,	Lot of ground, King's old castle,	40	12	3½
23	Reps. Richard Harrison,	Facing King's old castle,	9	18	6
24	John Gaggin,	Ground where old bridewell stood,	57	4	7½
25	Benjamin Roberts,	Kyrl's-quay,	2	15	4½
26	Reps. Thomas Farren,	Part of North-strand,	0	18	5½
27	Noblet Dunscombe,	Part of North-strand,	2	6	1½
28	John Newenham,	Commons land,	18	9	2½
29	William Connell,	Plot ground, Fishamble-lane,	0	9	2½
30	John Newenham,	„ Fishambles, North,	0	18	5½
31	John Newenham,	Old mill pond, North-east marsh,	0	9	2½
33	Robert Carleton,	Ground South-west walls,	0	9	2½
34	Joseph Austen,	Ground front old barracks,	11	10	9¾
35	Rep. W. Lavitt,	Old Market-place, North suburbs,	18	4	7½
36	Sir W. Chatterton,	South-east quarter city,	5	10	9¼
37	Reps. John T. Rye,	Ground Fishamble-lane,	21	0	0
38	Rep. W. Lavitt,	Island, South channel,	18	13	11¼
39	John Deyos,	Fair-lane, North suburbs,	2	6	1¾
40	Rep. W. Lavitt,	Sand-quay, North suburbs,	14	1	6½
42	Thomas Sharpe,	South gate-way to market,	22	7	8¼
43	Rep. John Shaw,	Ground Castle-street,	17	10	9¼
44	Rep. John Shaw,	Ground Castle-street,	18	9	2¾
45	Rep. Robert Powell,	Ground Castle-street,	26	15	10
46	Rep. Robert Powell,	Ground Castle-street,	28	5	7½
47	Rep. A. O'Leary,	Lot ground Patrick-street,	12	12	0
48	James C. Cogan,	Ground Patrick-street,	11	13	6½
49	Joseph Atkins, Samuel Haynes,	West wall passage to Fish-market,	12	16	11½
51	Samuel Perrott,	Ground where Fish-market stood,	21	4	7½
53	Robert O'Donoghue,	Ground near South gaol,	6	9	2½
54	Catherine Reed,	Premises Market-lane,	9	4	7½
56	John Young,	Ground Fishamble-lane,	14	0	0
57	Sir W. Chatterton,	Premises Tuckey's-quay,	5	10	9¼
264	Harbour Commissioners,	Slab inside Navigation wall,	9	4	7½
264	„	Proportion of harbour dues,	369	4	7
264	„	Blackrock castle,	30	0	0
62	Court of Conscience,	Market-street,	20	0	0
397	Reps. Charles Lefebure,	Ground Castle-street,	22	3	1
103	Wm. Riordan, and Batw. Linehan,	South-gate bridge,	25	0	0
107	Catherine Fogarty,	Sullivan's-quay,	12	0	0
358	John Bennett,	Sullivan's-quay,	12	0	0
109	Eliza and Margaret Nunan,	Sullivan's-quay,	10	0	0
217	Tuckey-street guard-house,	Tuckey-street,	21	4	6
140	Blackpool guard-house,	Blackpool,	1	1	0
204	Rev. Michael O'Sullivan,	Mansion-house,	56	0	0
227	Patrick Shea,	Ferry, Brickfields,	0	1	0
215	Michael Crowley,	Paradise-place,	12	0	0
216	Patrick Sullivan,	„	12	0	0
386	Jeremiah Connell,	„	12	0	0
304	J. Keane,	„	21	0	0
308	Cork, Blackrock, and Passage Railway Company,	City park,	50	0	0
96	John Dooly,	Douglas-street market,	12	0	0
396	James Morgan (Representative),	House in Castle-street,	20	6	1¾
418	Martin Conway,	Railroad ferry,	15	0	0
			£1,234	4	7¼

Amount of rents receivable for year ending August, 1851,				£1,258	14 7½
Cash received, per treasurer,	£1,202	0	1		
Poor Rate allowed,	55	13	1		
				1,257	13 2
Difference under rental,				£1	1 5½

ARREARS INCURRED.

Representatives of William Smith,	£0	19	9
„ Charles Lefebure,	11	1	6½
Matthew Taylor (house Sullivan's-quay, unoccupied),	9	14	0
Patrick Shea (ferry, Brickfields),	0	1	0
J. Keane,	5	5	0
Daniel Daly (paid in advance, 1850),	6	12	6
James Morgan,	20	6	2
	53	19	11½

ARREARS RECEIVED.

Representatives of Richard Harrison,	£4	19	3
„ Robert Powell,	13	7	11
„ Same,	14	2	10
Joseph Atkins,	6	8	6
Martin Conway (ferry from Penrose-quay),	4	0	0
Daniel Daly (ferry to Albert-quay),	10	0	0
	52	18	6
Difference under rental, as above,			£1 1 5½

RENTAL of the CORPORATION of the BOROUGH of CORK, from 1st September, 1851, to 31st August, 1852.

RENTS PAYABLE.

Folio.	To whom payable.	Premises.	Annual Amount. £	s.	d.
146	Quit and crown rents,	Lough at Coolymorohue,	3	6	2
100	Fitton and Barlow,	Ground, Grand parade market,	181	15	6¼
149	W. and T. Austin,	Market ground, Prince's-street,	46	3	1
150	Reps. Lane, W. and J. Saunders,	Mansion-house,	46	3	1
152	Edmond Roche,	Ground, Old Exchange,	36	18	5½
153	George A. Daunt,	Patrick-street, formerly Dunscombe's-marsh,	32	6	2
154	Reps. Abraham Morris,	Cattle-market,	31	10	0
156	Reps. W. P. Harris,	Ground, Mansion-house,	4	18	6
94	Reps. Charles Smith,	Market, Prince's-street,	27	13	10¼
157	George Foster,	Guard-house, Tuckey-street,	21	4	7
158	Reps. Jane Jones,	Old Fish-market, Hanover-street,	21	4	7
159	Reps. W. Lavitt, per J. C. Perry,	Tuckey's-quay, or Grand parade,	4	16	11¼
93	Trustees Green Coat Hospital,	City hospital,	0	18	5½
163	Sarah Hobbs,	Ground, Mansion-house,	4	18	6
98	Reps. Michael Magrath,	Waste-ground, Castle-street,	21	0	0
167	Reps. Sampson Price,	Harpur's-lane market,	9	4	0½
168	Reps. H. Parker, per Godwin Purcell,	Hughes'-lane market,	7	7	8
169	Michael Roberts,	Harpur's-lane market,	17	10	0
170	Reps. John Browning,	„	22	10	0
172	Rev. Francis Stawel,	Ground, St. Peter's market,	50	0	0
96	John Dooly,	Cap-well,	18	0	0
172	Rev. Francis Stawel,	Ground, rere Corn-market,	10	0	0
99	Mary Foott,	Ground, near Cattle-market,	3	0	0
210	Lucey John,	Ground, Old Market-place,	5	0	0
95	Edward Downes,	Emigration office,	12	0	0
287	Thomas Elms,	Ground at bazaar,	31	16	10
357	Messrs. Edwards and Savage,	„	10	0	0
398	Rev. George Keyburn,	„	2	6	3
395	John Church,	Ground, Dyke lodge,	5	0	0
			£688	12	8¼

Amount of rents payable for year ending August, 1851,			£684	19 6¼
Total amount paid by treasurer,	£707	7 9		
Amount of Poor Rates,	35	16 1½		
			743	3 10½
Difference over rental,			£58	4 4¼

ARREARS PAID.

Representatives of Abraham Morris,	£31	10	0
„ W. P. Harris,	2	9	3
John Dooly,	9	0	0
Messrs. Edwards and Savage,	15	0	0
Rev. George Keyburn,	4	12	6
Anna M. Carew,	2	3	10
John Church (not in rent-roll),	5	0	0
Fractions,	0	0	9¼
	£69	16	4¼

CORK,
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ARREARS INCURRED.

Quit and crown rents,	£1	13	4		
Representatives of Sampson Price,	4	18	8		
Lucey John,	5	0	0		
				11	12	0
Difference over rental, as above,				£58	4	4¼

BONDS and INTEREST, from 1st September, 1851, to 31st August, 1852.

Amount of Bonds due (Dec. 1851).

Folio.		Old Irish Currency. £	s.	d.	5 per Cent. Interest for British Money. £	s.	d.
110	Representatives of John Shaw,	217	10	0	10	0	9
111	Rebecca Sadleir,	315	0	0	14	10	9
112	Trustees Green Coat Hospital,	100	0	0	4	12	3¾
113	Trustees Green Coat Hospital,	30	0	0	1	7	8¼
114	Representatives of Stanistreet,	750	0	0	34	12	3
115	Catherine Spaight,	284	0	0	13	2	2¼
116	Poor St. Finn Barr's	25	0	0	1	3	1
117	Trustees Foundling Hospital,	300	0	0	13	16	11
119	Moses Deane's Charity,	1,200	0	0	55	7	7½
120	Sharman,	50	0	0	2	6	2
121	Pomeroy,	180	0	0	8	6	2
124	Trustees St. Stephen's Hospital,	300	0	0	13	16	11
125	Poor St. Mary's Shandon,	300	0	0	13	16	11
126	Poor St. Mary's Shandon,	175	0	0	8	1	7
155	C. C. Langworthy,	100	0	0	4	12	3¾
127	Dan. Meagher,	750	0	0	34	12	3
104	Daniel F. Leahy,	500	0	0	23	1	6½
105	Daniel F. Leahy,	500	0	0	23	1	6½
106	Harriet Exham,	450	0	0	20	15	4½
102	Representatives of Messrs. Flaherty,	430	0	0	19	16	11
135	Tresher's Lectures,	250	0	0	11	10	9
	Irish Currency,	£7,206	10	0			
	Amount in British Currency,	£6,652	3	1	332	12	0
133	Michael Hennessy,	500	0	0	25	0	0
281	John O'Connell,	3,000	0	0	150	0	0
		£10,152	3	1	507	12	0

CITY-PARK.

Dr.				*Cr.*			
To D. Callaghan, park-keeper,	£26	0	0	By grazing sheep, &c.,	£23	5	5
To sundry disbursements, &c.,	50	19	3	By year's rent, railway company,	50	0	0
					£73	5	5
				By loss on park,	3	13	10
	£76	19	3		£76	19	3

EXPENSE of COLLECTION of GATEAGE TOLLS, for year ending August 23rd, 1851.

Red-forge.

				£	s.	d.
Michael Hegarty, 52 weeks, at 15s., and £2 10s. gratuity,	£41	10	0			
Simon Hegarty, 1 week, at 7s., and 51 weeks, at 8s.,	20	15	0			
Michael Regan, 11 weeks, at 9s.,	4	19	0			
Edmond Connors, 24 weeks, at 8s., and 17 weeks, at 9s.,	17	5	0			
Coals and candles, 52 weeks, at 2s.,	5	4	0			
				89	13	0

Commons-road.

Timothy Callaghan, 52 weeks, at 14s.,	£36	8	0			
Nicholas Irwin, 52 weeks, at 10s.,	26	0	0			
Coals and candles, 9 weeks, at 1s., and 43 weeks, at 2s.,	4	15	0			
				67	3	0

Fair-hill.

William Carroll, 52 weeks, at 7s.,				18	4	0

Blarney-lane.

Henry Keeffe, 52 weeks, at 10s. 6d.,	27	6	0			
Coals and candles, 52 weeks, at 1s.,	2	12	0			
				29	18	0

Sunday's-well.

William Regan, 52 weeks, at 9s.,				23	8	0

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		£	s.	d.
Brickfields.				
Henry Welstead, 52 weeks, at 15*s.*,	£39 0 0			
Thomas Lynch, 52 weeks, at 10*s.*,	26 0 0			
Edward Barry, 42 weeks, at 5*s.*,	10 10 0			
Thomas Welstead and Thomas Brusnahan, 10 weeks, at 4*s.*,	2 0 0			
Coals and candles, 52 weeks, at 2*s.*,	5 4 0			
		82	14	0
Glanmire.				
John Cotter, 1 week, at 8*s.*, and 51 weeks, at 9*s.*,	£23 7 0			
Coals and candles, 52 weeks, at 1*s.*,	2 12 0			
		25	19	0
Macroom-road.				
William Wren, 9 weeks, at 12*s.*, and 43 weeks, at 13*s.*,	£33 7 0			
James Carroll, 52 weeks, at 8*s.*,	20 16 0			
Coals and candles, 52 weeks, at 2*s.*,	5 4 0			
		59	7	0
Green-lane.				
Michael Russell, 52 weeks, at 9*s.*,		23	8	0
Brandy-lane.				
Henry Wren, 52 weeks, at 9*s.*,		23	8	0
Passage-road.				
William Murphy, 52 weeks, at 9*s.*,	£23 8 0			
Coals and candles, 52 weeks, at 1*s.*,	2 12 0			
J. Madden, Ballinlough, 52 weeks, at 4*s.*,	5 4 0			
		31	4	0
Evergreen.				
Bartholomew Linehan, 52 weeks, at 9*s.*,	£23 8 0			
Coals and candles, 52 weeks, at 1*s.*,	2 12 0			
Jeremiah Corbett, Friars'-walk, 28 weeks, at 2*s.* 9*d.*,	3 17 0			
Thomas Prior, 24 weeks, at 2*s.*,	2 8 0			
		32	5	0
Lee-road.				
Richard Barry, 52 weeks, at 18*s.*, and £5 gratuity,	£51 16 0			
Timothy Reardon, 52 weeks, at 10*s.*,	26 0 0			
Bartholomew Hayes, 52 weeks, at 9*s.*,	23 8 0			
Coals and candles, 52 weeks, at 2*s.*,	5 4 0			
		106	8	0
Granabraher.				
John Murphy, 11 weeks, at 8*s.*,	£4 8 0			
Michael Regan, 41 weeks, at 9*s.*,	18 9 0			
		22	17	0
Checkers and Superintendents.				
Cornelius Connell, checker, 52 weeks, at 11*s.* 6*d.*,		29	18	0
Andrew Campbell, checker, 52 weeks, at 11*s.* 6*d.*,		29	18	0
Patrick Barrett, checker, 52 weeks, at 11*s.* 6*d.*,		29	18	0
D. Curtin, assistant at cattle-market, and checker, 51 weeks, at 13*s.*,		33	3	0
John Roche, keeper of cattle-market, 52 weeks, at 6*s.*,		15	12	0
Roger Cleary, superintendent of South Roads, 52 weeks, at 7*s.* 6*d.*,		19	10	0
C. Lee, superintendent of North Roads, 52 weeks, at 6*s.* 6*d.*,		16	18	0
Richard Donovan, superintendent of West Roads, and cattle-market, 52 weeks, at 10*s.*,		26	0	0
John M'Carthy, general superintendent, and inspector of toll-books, 52 weeks, at 30*s.*,		78	0	0
John L. Kemp, inspector,		87	0	0
		1,001	13	0
Superannuated.				
James Scully, 52 weeks, at 4*s.*,		10	8	0
		£1,012	1	0

RETURN of GATEAGE TOLLS, for year ending August 23, 1851.

Gross entries,		£4,710	15	3
Freedoms, &c.,		803	19	10
Gross cash,		£3,906	15	5
Expense of collection (as above),	£1,012 1 0			
Rents,	76 6 11			
Repairs, &c.,	10 1 4			
	1,098	9	3	
Net produce,	£2,808	6	2	

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CORK,
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GRAND PARADE MEAT MARKET, Return for one Year, ending August 27, 1851.

	£	s.	d.		£	s.	d.
1 Week, at	28	12	5		28	12	5
1 „	25	12	5		25	12	5
1 „	25	5	5		25	5	5
1 „	25	1	8		25	1	8
2 „	25	0	5		50	0	10
1 „	24	18	4		24	18	4
1 „	24	18	0		24	18	0
1 „	24	16	0		24	16	0
1 „	24	15	4		24	15	4
2 „	24	15	0		49	10	0
1 „	24	14	8		24	14	8
1 „	24	14	1		24	14	1
2 „	24	14	0		49	8	0
1 „	24	13	8		24	13	8
1 „	24	12	9		24	12	9
1 „	24	12	6		24	12	6
12 „	24	11	0		294	12	0
1 „	24	10	7		24	10	7

	£	s.	d.		£	s.	d.
1 Week, at	24	9	9		24	9	9
3 „	24	8	6		73	5	6
1 „	24	7	11		24	7	11
2 „	24	7	6		48	15	0
1 „	24	4	5		24	4	5
3 „	24	3	10		72	11	6
1 „	24	3	9		24	3	9
2 „	24	2	0		48	4	0
3 „	23	17	7		71	12	9
1 „	23	17	0		23	17	0
1 „	23	9	7		23	9	7
1 „	21	18	5		21	18	5
52 Weeks,					£1,276	8	3
15 Months' rent of shop in Prince's-street,					12	10	0
Total Amount,					1,288	18	3

Less—Expense of Staff as under,	£176	7	0
Half Cost of Tables, Smiths and Carpenters' Work, Brooms, &c.,	16	8	5
		192	15 5
Net Amount,		£1,096	2 10

MARKET STAFF.

Thomas Rogers, inspector,	£74	12	0
John Maher, 52 weeks, at 10*s.*,	26	0	0
Henry Mahony, 43 weeks, at 10*s.*,	21	10	0
„ 2 weeks, at 8*s.* 9*d.*,	0	17	6
„ 4 weeks, at 7*s.* 6*d.*,	1	10	0
Michael Murphy, beadle, 52 weeks, at 8*s.*,	20	16	0
John Horgan, sweeper, 50 weeks, at 8*s.*,	20	0	0
„ „ 2 weeks, at 6*s.* 9*d.*,	0	13	6
William Walsh, „ 52 weeks, at 4*s.*,	10	8	0
	£176	7	0

THOMAS ROGERS, *Inspector.*

GRAND PARADE FISH, FOWL, and ROOT MARKET, Return for one Year ending August 27, 1851.

	£	s.	d.
Fish Market, 52 weeks' produce,	23	2	0
Fowl Market, „	8	6	2
Root Market, „	34	9	0
*Standings, „	274	11	5
Total Amount,	£340	8	7

MARKET STAFF.

Maurice Ahern, collector, 48 weeks, at 9*s.*,	£21	12	0
„ „ 2 „ 6*s.* 6*d.*,	0	13	0
Denis Dorgan, „ 42 „ 9*s.*,	18	18	0
„ „ 3 „ 8*s.*,	1	4	0
James Murphy, „ 8 „ 9*s.*,	3	12	0
		45 19	5
Net Amount,		£294	9 7
Net produce of Meat Market,	£1,096	2	10
„ Fish, Fowl, and Root Market,	294	9	7
Lodged to credit of Treasurer,	£1,390	12	5

THOMAS ROGERS, *Inspector.*

RETURN of OUT MARKETS, for Year ending August 23, 1851.

	£	s.	d.	£	s.	d.
St. Peter's Market,	390	13	0			
Harper's-lane Market,	59	1	6			
Meal Market,	15	10	0			
North Main-street Market,	51	15	0			
Carried forward,				516	19	6

* Standings include Vegetable, Fowl, Butter, Tripe, and Fish Stalls.

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			£	s.	d.	£	s.	d.	£ s. d.
Brought forward, . .						516	19	6	
Charges—D. Casey,	52 weeks, at 22s. 6d.,		58	10	0				
John Connor,	52 „	9s.,	23	8	0				
Michael Roche,	52 „	8s.,	20	16	0				
John Byrnes,	52 „	8s.,	20	16	0				
J. Harrington,	52 „	8s.,	20	16	0				
Jer. Corbett,	28 „	8s.,	11	4	0				
Denis Delany,	24 „	8s.,	9	12	0				
Watchman,	52 „	10d.,	2	3	4				
			167	5	4				
Sundry Repairs, . . .			3	12	2				
						170	17	6	
									346 2 0
Saint Finn Barr's Market, . .			106	19	8¼				
Saint John's Market, Douglas-street, . .			13	14	7½				
						120	14	3¾	
Charges—Roger Cleary,	52 weeks, at 15s.,		39	0	0				
Michael Lucey,	52 „	8s.,	20	16	0				
M. Lynch,	52 „	6d.,	1	6	0				
Watchman,	52 „	6d.,	1	6	0				
			62	8	0				
Sundry Repairs, . .			1	4	5				
						63	12	5	
									57 1 10¾
St. Mary's and Shandon-street Markets, . .						133	10	6	
Charges—Richard Donovan,	52 weeks, at 12s. 6d.,		32	10	0				
John Roche,	52 „	2s.,	5	4	0				
Patrick Cahill,	52 „	1s.,	2	12	0				
Watchman,	22 „	6d.,	0	11	0				
			40	17	0				
Sundry Repairs, . .			3	2	9				
						43	19	9	
									89 10 9
Blackpool Market, ...						34	14	8¾	
Charges—C. Lee,	52 weeks, at 10s.,		26	0	0				
Watchman,	52 „	10d.,	2	3	4				
						28	3	4	
									6 1 4¾
Leitrim Market, ...									2 19 2½
									502 5 3
John L. Kemp, superintendent, ...						52	0	0	
Sundry General Repairs, . . .						4	12	1	
John Keleher, watchman at Bazaar, 24 weeks, at 2s. 6d.,						3	0	0	
Mary Whelan, checking weight of boat potatoes, 9 weeks and 2 days, at 4s., ...						1	17	4	
									61 9 5
Net Produce, ...									£440 15 10

JOHN L. KEMP.

Pro Forma BALANCE SHEET, showing approximately the Annual Surplus Revenue of the Corporation of Cork, to December 2, 1851.

Dr.								
			£	s.	d.	£	s.	d.
Gross Produce Grand Parade Markets, ...						1,629	6	10
Gross Produce Out Markets, ...						808	18	3
						2,438	5	1
Less—Annual average repairs, ...			150	15	0			
Gas, ...			55	4	7			
Pipe Water, ...			8	8	0			
City and Poor Rates, ...			363	12	0			
						577	19	7
						1,860	5	6
Gross Produce of Tolls, ...						3,907	5	5
Less—Rent of Toll Houses, . . .		£80	0	0				
Average Repairs, ...		20	0	0				
Coals and Candles, ...		36	8	0				
						136	8	0
								3,770 17 5
Corn Market Trustees, . .								450 0 0
Pipe Water Dividends, . .								150 0 0
Mayor's Coal Dues, . .								105 0 0
Average proportion Police Fines,								150 0 0
Rents receivable, . . .								1,234 4 7
Freemen's admissions, . .								5 5 0
City Park, ...								20 0 0
								£7,745 12 6

CORK, 25th November, 1852.

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Thomas M'Auliffe.

Pro Forma Balance Sheet, showing approximately the Annual Surplus Revenue of the Corporation of Cork, to December 2, 1851—*continued.*

	£	s.	d.	£	s.	d.
				Cr.		
Charities.						
Orphan Asylums,				100	0	0
Poor Freemen,				48	0	0
Dispensary,	5	5	0			
North Infirmary,	5	5	0			
South Infirmary,	5	5	0			
Fever Hospital,	5	5	0			
Blind Asylum,	2	2	0			
Lying-in Hospital,	2	2	0			
Pipe water for the poor,	160	0	0			
				185	4	0
				333	14	0
Compensations.						
Bartholomew Gibbings,	55	6	10			
John Besnard,	55	6	10			
				110	13	8
Rents Payable,				688	12	8
Interest on Bonds,				507	8	7
Average Law Expenses,				300	0	0
Incidentals,				50	0	0
Insurances,				20	0	0
Printing, Stationery, and Stamps,				80	0	0
Advertisements, &c.,				120	0	0
Salaries,				1,390	10	0
Wages and Superannuations,				268	0	0
Revision Expenses,				170	0	0
North and South Main Streets,				80	0	0
Extra Repairs, Market Houses, &c.,				250	0	0
Hansard's Parliamentary Papers,				16	12	0
Market Staff,				553	17	4
Toll Staff,				1,017	0	0
School of Design,				200	0	0
Mayor's Office,				60	0	0
Public Clock,				13	0	0
Average Yearly Extra Grants,				150	0	0
Mardyke Expenses,				20	0	0
				6,399	8	3
Approximate Balance,				1,346	4	3
				£7,745	12	6

Daniel Meagher.

Salaries, 1852.

	£	s.	d.	£	s.	d.
Yearly.						
The Mayor,	500	0	0			
The Recorder,	250	0	0			
Treasurer,	200	0	0			
Town Clerk,	250	0	0			
Mayor's Secretary,	52	10	0			
Water Bailiff,	20	0	0			
Auditors,	60	0	0			
Warden, Blackrock Castle,	40	0	0			
Sword Bearer,	10	0	0			
Council Room Keeper,	8	0	0			
				1,390	10	0
Weekly Wages.						
Mayor's Office, James Coleman,	0	15	6			
„ Laurence Lynch,	0	10	6			
„ Edmond Rum,	0	8	0			
„ Julia Hubbard,	0	3	0			
Lough Keeper, Edward Angleton,	0	3	0			
Park Keeper, Denis O'Callaghan,	0	10	0			
Police Court Keeper, Thomas Fitzgerald,	0	3	6			
Lady's Well Keeper, Bart. Morony,	0	5	6			
Mardyke Keeper, James Hutchins,	0	5	0			
Superannuated.						
Jeremiah Kingston,	0	5	4			
John Hobbs,	0	3	4			
John Martin,	0	8	4			
John Forster,	0	5	0			
Isaac Bass,	0	10	0			
Thomas Eason,	0	4	0			
				260	0	0
	5	0	0			
Corporation Officers,				1,650	10	0
Market Staff,				553	17	4
Tolls' Staff,				1,017	0	0
				£3,221	7	4

CORK,
25th November, 1852.
346.
Thomas M'Auliffe.

City Charities, one Year, ending August 31, 1851.

	£	s.	d.
City Charities,	333	14	0
Industrial School, and Association for Native Industry,	50	0	0
	£383	14	0

MALLOW,
25th November, 1852.
347.
Mr. Homan Haines.

Mallow, November 25, 1852.

Mr. *Homan Haines* examined.

3626. Where do you reside?—In Mallow.

3627. What is your occupation?—I lease the tolls of the fairs and markets here.

3628. Under what patent or authority are the fairs and markets here held?—Under a very old patent, of which I do not know the date.

3629. Who is the owner or patentee of this market?—Sir Denham Norreys is the patentee, and I hold by lease from him for a term of seven years, about six of which have expired.

3630. How often is the market held, and what are the market-days?—Twice a week—Tuesdays and Fridays, which are the days mentioned in the patent.

3631. How many fairs are held under the patent?—There are five fairs held under the patent, and the day before each of these fairs there is a fair held for the sale of pigs.

3632. Are the market-places enclosed, and is the sale of all agricultural produce confined to them?—There are two enclosed market-places, one for corn, and another for pigs. There is some corn sold outside the market in the streets.

3633. Are tolls paid in the fairs and markets?—They are. I beg to hand in a list of the tolls levied in the fairs and markets here.—[*The following is the list handed in by witness.*]

A Schedule of the Tolls, Customs, and Duties in the Town and Manor of Mallow, on Fair-days and Market-days, claimed by Mr. Homan Haines as the lessee thereof.

Fair-days.

	s.	d.
For each horse, mare, gelding, or mule,	0	6
„ cow, bullock, bull, ox, or heifer,	0	6
„ yearling or calf,	0	4
„ sheep, ram, goat, or slink calf,	0	1
„ pig,	0	3
„ suckling pig,	0	1
„ pedlar or dealer's covered stand,	0	10
„ ditto uncovered,	0	4
„ shoe, brogue, breeches maker, hatter, cooper, or turner's stand,	0	10
„ load of wool manufactured, timber, or other tollable goods,	0	10
„ load of fruit or vegetables,	0	3
For a single piece of frieze or flannel,	0	6
„ two pieces of do. do.	0	10
„ three do. do.	1	1
For each stand of all tollable goods not mentioned above,	0	4

The foregoing charges will, in the following instances, be reduced by the purchase of tickets, which can be had on application to the lessee or his collector's, at the following rates, namely:—

Each horse, mare, gelding, or mule,	0	2
„ cow, bullock, bull, ox, or heifer,	0	2
„ yearling or calf,	0	1½
„ pig,	0	1
„ suckling pig,	0	0½
„ piece of frieze or flannel,	0	3

Market-days.

For each barrel of wheat of twenty stone,	0	5
„ barrel of barley of thirty-six stone,	0	5
„ barrel of oats of thirty-three stone,	0	5
„ small quantity under two stone,	0	0½
„ load of cabbage, vegetables, or fruit,	0	3
For each firkin or keg of butter,	0	1
„ load of potatoes, and so in proportion for a less quantity,	0	5
do., for stallage and weighing on days not market-days,	0	4
„ basket of butter,	0	0½
„ churn or two pails of sour milk,	0	0½
„ pail of sweet milk, ½d., or one pint,	0	0½
„ horse, cow, or other beast,	0	4
„ pig,	0	2
„ suckling do.,	0	1
„ sheep, lamb, goat, or slink calf,	0	1
„ lamb, until July,	0	0½
„ horse, cow skin, &c.,	0	1
„ calf skin,	0	0½
„ lot of geese, turkeys, or ducks,	0	1
„ lot of chickens,	0	0½
„ to pedlar or huxter,	0	1
„ car with meat or butter,	0	4
„ load of fish,	0	1
„ standing of clothes, hardware, or other commodities,	0	1
Furniture, tallow, honey, or other tollable articles not mentioned above, for each 20s. worth,	0	3

The following reduced or commuted market tolls will be received subject to the observance by the public of the several market regulations which the clerk of the market is directed to enforce:—

For each barrel of wheat of twenty stone,	0	3
„ „ barley of sixteen do.,	0	2
„ „ oats of fourteen do.,	0	2
„ load of potatoes, and so in proportion for a less quantity, for custom, &c., weighing,	0	4
„ do., for stallage, &c., weighing potatoes on days not market-days,	0	3
„ pig,	0	1

Thomas Harding.

November 23, 1852.

MALLOW, 25th November, 1852.

347. Mr. Homan Haines.

3634. Are the tolls levied in the market upon goods whether they are sold or not?—They are only levied if the article is sold.

3635. Are the tolls paid by the buyer or seller?—By the seller on market-days, and the buyer on fair-days.

3636. Do you levy tolls upon articles sold in the town whether they are brought into the market or not?—We do on market-days, and on other days we charge tolls only upon what is sold in the market.

3637. Are there a sufficient number of beams, scales, and weights in the market?—There are; corn, potatoes, and every thing else that is sold in the town are weighed in our scales.

3638. What rent do you pay for the tolls?—I only pay a nominal rent for them, and if the tolls do not amount to what I have agreed to pay, Sir Denham Norreys makes a reduction of the rent.

3639. Are tolls levied upon cattle entering or leaving the fair?—Upon cattle that are sold when leaving it. We issue tickets, which any person having bought cattle in the fair can obtain on the ground by paying one-third of the toll marked upon the toll-board, and any driver producing this ticket to the men at the gap is passed by them. If the driver says the cattle are not sold, we take his word for it, and do not require him to take any oath or touch any thing to clear them. I have a clause of surrender in my lease of the tolls at the end of each year.

Mr. *Thomas Healy* examined.

348. Mr. Thomas Healy.

3640. What is your occupation?—I am under-agent to Sir Denham Norreys.

3641. Has there been a sworn weighmaster appointed?—There is a weighmaster, but he has not been sworn; he was appointed by the patentee, but is paid by the lessee. There are a sufficient number of beams, scales, and weights, in the market; there is also a weigh-bridge on which hay and straw are weighed.

3642. Is any charge made for weighing agricultural produce in the market scales?—No; there is no charge for weighing, independent of tolls. We offer to weigh them before selling, and to charge them nothing unless their corn is sold.

3643. Is any corn weighed at the merchants' stores?—There are no merchants' stores in this town.

3644. State the system of weighing in this market.—Corn is weighed with a cast of the beam, the scale need not touch the ground; the smallest weight used is two pounds; there is two pounds beamage deducted from each draught, and two pounds tret on each hundred-weight. There is often more than a barrel in a draught. We make up the ticket gross, and give it to the seller; we do not make up the amount to be paid. The merchant generally tares the sacks, and deducts their exact weight from the gross weight, and pays for the odd pounds.

3645. Does the weighmaster keep a book, in which he enters the nature, quantity, and price, of all agricultural produce sold in the market, and does the buyer or seller receive a copy of such entry?—He keeps a book in which he enters the seller's name, the number of sacks, and the price per barrel, and gives a copy of this entry to the seller. The beamage is struck off the gross weight before the docket is given. There is a copy kept by the weighmaster, so that if the seller lose the docket, a duplicate can be given to him.

3646. Could Government be furnished with a return of the nature, quantity, price, and amount, of all agricultural produce sold in a year?—They could.

3647. What is your system of weighing potatoes?—We weigh them by the weight of twenty-one pounds; we weigh down weight; the scales must touch the ground; and we make no deductions, and never weigh less than a half weight of twenty-one pounds; we will weigh them in sacks, if required.

3648. Is there any butter sold in this market?—There are no firkins of butter sold here. The only butter sold in this town is brought in in baskets, and is not weighed in the market.

3649. What is your system of weighing wool?—Wool is weighed at standing beam to the pound, but there is very little weighed in this market.

3650. If a large quantity of potatoes was weighed in separate weights of twenty-one pounds each, would not the seller lose a good deal by giving down weight on each draught?—No; for the scales are so finely balanced, that a single potato will bring them from standing beam to the ground.

3651. What is the charge for weighing potatoes?—The charge is 5*d.* toll for a cart-load, on market-days, which includes weighing; but this toll has been lessened latterly, and 3*d.* is the charge for weighing on other than market-days. I have to remark, while on the subject of potatoes, that there are women who buy up the potatoes from the farmers coming in, and put some into a bag, and weigh it, and measure the others by it, and do not weigh the others.

3652. Whom do you employ to collect the tolls on butter?—They are levied in the street by a confidential woman, employed by Mr. Haines to collect tolls on small articles for him. If she is not paid the money, she may take a print or other small quantity of butter instead: the charge is only ½*d.* a basket. There is no toll on eggs; and the toll on milk is ½*d.* the churn; a pint of milk is sometimes given instead of the toll. One penny is the toll on a basket of fish, and there is only the same charge for a cart-load. We charge a toll for fowl, but would not charge for one by itself. The woman who collects regulates

348.
Mr. Thomas Healy.

the charges. The charge upon stockings has been done away with. We do not levy the whole amount of tolls furnished, as you will see by referring to the note at the foot.

3653. Do you charge 3*d.* in the pound for every article not specified in the toll-board?—We formerly did, but now some things are not charged at all.

3654. Do you charge for standings?—There is a charge for standings only on market or fair days, and then 4*d.* is the charge for covered standings; 1*d.* would be charged for a a table set up in the street only on those days; frieze also is only charged on market-days 3*d.* toll.

3655. Would it not be better to alter the schedule of tolls to what you do really levy, as at present there is nothing to prevent the collectors charging the whole amount on the board?—I do not think they would venture to do so, as they know they would be dismissed for doing so.

3656. Is corn sold by the barrel?—It is; a barrel of wheat consists of twenty stone; a barrel of oats, fourteen stone; a barrel of barley, sixteen stone; and a barrel of potatoes consists of forty-eight weights of twenty-one pounds each; but potatoes are not sold by the barrel. The present reduced toll charged upon fourteen stone of oats, and sixteen stone of barley is 2*d.*, and 3*d.* upon twenty stone of wheat.

3657. Of what does a stone consist?—It is fourteen pounds always, except in the case of wool; and a hundred-weight is always calculated at 112 pounds.

3658. Are the fairs here large?—They are; and tolls are levied on the day before the one appointed by the patent, upon pigs which are sold the day before the regular fairs, for the convenience of farmers: nothing but pigs are sold on these days.

3659. Is the fair-green enclosed?—Yes; there is a large fair-green, which is sufficiently well enclosed.

3660. How do you ascertain whether cattle are sold or not in the fairs?—We have to trust the word of the drivers of the cattle as to that fact.

3661. What proportion of the cattle going into the fairs do you think pays toll?—I should say about half.

3662. Do you not think it would be better to levy a moderate toll upon all cattle entering the fair, instead of the present toll upon all cattle sold when leaving it?—I think the former would be a very great improvement; that is the system of levying tolls at Cahirmee fair, in this county, which has been greatly for the benefit of the proprietor of that fair. I am sure Sir Denham Norreys will adopt the same system if the people wish; I do not, however, think they would like it.

3663. Was not Sir Denham Norreys right under his patent disputed at one time?—Yes. The people tried to hold another fair in Ballydahon, one of the suburbs of this town, as they thought the tolls levied by Sir Denham were too high; and in consequence of an informality in the lease of the tolls to the then lessee of the fairs, they attempted to set up a fair of their own. The lessee then proceeded against the buyers and sellers at these fairs, and the result was, that a compromise was entered into between the parties. The people gave up holding the opposition fairs, and Sir Denham Norreys lowered the tolls in his.

3664. Are potatoes weighed every day in the market?—Yes; the man who attends the weigh-bridge weighs potatoes every day.

3665. What is the charge for weighing hay and straw?—Six-pence a load for hay, and 4*d.* a load for straw; these are weighing charges; there is no toll for either hay or straw.

Margaret Sheehan examined.

349.
Margaret Sheehan.

3666. Where do you reside?—In Ballydahon.

3667. What is your occupation?—I collect the small tolls on the market and fair-days in this town.

3668. Can you read or write?—No; I cannot.

3669. How, then, do you know what tolls to collect?—I am told what to charge, and I remember them.

3670. Upon what do you collect the tolls?—Upon milk, butter, fowl—such as geese and turkeys—and fish.

3671. What are the tolls charged on these?—One penny upon each lot of fowl; if only one turkey, I would only charge a halfpenny; there is a halfpenny charged on each pail of milk, and 1*d.* upon each load of fish; I am very seldom paid any thing for a basket of fish; I demand it very often, but I do not get it; there is 1*d.* levied for the smallest quantity of butter brought into the town for sale, and 1*d.* for large and small bundles of flannel; I charge 3*d.* in the pound for all furniture sold; the charge in the street is the same as in the market; there is a charge of 3*d.* on a horse-load of fruit or turnips.

3672. If a woman had a basket of fruit for sale on her arm would you charge her?—I would not, unless she set them down to sell them, and then I would charge ½*d.*; I get 1*d.* on a lump of butter.

3673. Do you ever take pledges from the people?—Sometimes, when I see them selling, and they will not pay me, I take a print of butter or something of that kind, but never clothes; they sometimes, when they see me coming to collect the tolls, run into a shop, and I cannot charge them there.

3674. What is the greatest amount you ever collected in a day?—I never collected more than 5*s.*, and sometimes as little as 1*s.* 8*d.*; there is no toll paid on stockings.

3675. Do you ever collect more toll than is marked on the board?—Never; and a great many do not pay any toll.

MALLOW, *25th November*, 1852.

William Daly examined.

350. William Daly.

3676. Where do you reside?—I live in this town, and buy corn here; I concur in most of the statements made by the witnesses.

3677. Have you any observations to make as to the management of this market?—The corn market is generally conducted well, but the tolls are too high; if the charges were less, the receipts would be greater; a great deal of corn is not sold on the market-days, in order to avoid the tolls.

3678. Do you not think the system of weighing in the private stores objectionable?—I do not.

3679. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster, in which all the agricultural produce sold in the town should be sold and weighed?—I would; I think every thing ought to be weighed in a public market.

3680. Would it not be better to weigh standing beam, with one pound weight, and abolish all deductions except the actual weight of the empty sack?—There could be no objection to this, if it was made general everywhere.

3681. Would you be in favour of an assimilation of tolls, weights, and measures over the whole country?—I would; and I think it would be much better to sell corn everywhere by the stone.

3682. What is your system of weighing?—It is the same as is practised in the market; I make up the amount of money to be paid to the seller upon the ticket, and tare the sack; the deduction on a barrel of wheat is seven pounds; we weigh with a turn of the beam; it need not touch the ground; if it touches, I put two pounds into the scale.

351. Daniel Rullaghan.

Daniel Rullaghan examined.

3683. Do you concur with the last witness as to the advantages that would result from a general market such as I described?—I do; I also concur with him in thinking the present tolls in the market are too high.

352. Mr. Richard Wynne.

Mr. *Richard Wynne* examined.

3684. Where do you reside?—In this town; I am an auctioneer and valuator; I generally concur in what has been said as to the establishment of general markets; I was a corn buyer in Cork, and found that other parties could pay 1*s.* a barrel higher than I could, by getting over weight; all corn should be weighed in the market; I got corn which one merchant weighed and I found a difference of four stone in one load; I have not found many mistakes occurring in the public market scales; I do not always weigh my corn in the market scales; all the corn is weighed in the market on the market-days.

3685. Would you be in favour of weighing all agricultural produce at standing beam, with one pound weight, abolishing all deductions except the actual weight of the empty sack?—I would; and I think corn ought to be sold by the stone all over the country.

3686. Have you heard any complaints as to the weighing in the private stores?—I have heard complaints, but not lately.

3687. Do you buy at the fairs?—I do; and I quite agree with your suggestion that tolls should be charged on all cattle entering the fairs instead of the present system; a much smaller toll would then be necessary.

353. Thos. Ware, esq. J.P.

Thomas Ware, esq., J.P., examined.

3688. Can you give us any information or suggestions as to the markets and fairs of this town?—I have to state that I should be strongly in favour of having the tolls at fairs levied upon cattle entering in the manner you mentioned; this system of paying upon cattle going into the fairs is practised at Cahirmee, and gives great satisfaction to all parties; I generally concur in the statements made by the witnesses; I should be in favour of a general market such as you propose, and that corn should be weighed standing beam with one pound weight, and abolish all deductions except the actual weight of the empty sack.

3689. Do you not think that a proprietor, whether of fairs or markets, should not be entitled to levy tolls in them, respectively, unless he provided proper accommodation in return?—I would not allow him to receive tolls unless there was value given in return; I think it right to say that there are much fewer complaints of the fairs and markets since Mr. Haines became the lessee of the tolls.

TIPPERARY, *26th November*, 1852.

TIPPERARY, NOVEMBER 26, 1852.

James Reardon examined.

354. James Reardon.

3690. Where do you reside?—I reside in this town.

3691. What is your occupation?—I am lessee of the tolls of the markets and fairs here.

3692. Under what patent or authority is this market held?—I do not know the particulars, but am aware that there is a patent.

3693. Who is the owner or patentee of this market?—Mr. James Hugh Smith, barony of Foaty, in the county Cork.

3694. How often is this market held, and what are the market days?—Thursdays and Saturdays are the market-days prescribed by the patent.

3695. Are tolls collected in this market?—Tolls are collected in the market on Thursdays, but not on Saturdays.

3696. What are the tolls charged?—I will give a copy of the tolls printed upon the toll-board.—[*The following is the copy furnished by the witness*]:—

A Schedule of Tolls and Customs payable in the Town of Tipperary.

On Fair-days.	d.	On Market-days.	d.
Horse, ox, or cow,	6	Horse, ox, or cow,	3
Two-year-old ditto,	4	Two-year-old ditto,	2
Yearlings,	3	Yearlings,	1
Sheep, goat, lamb, or calf,	1	Sheep, goat, lamb, or calf,	0½
Pig (value 10s.),	3	Pig (value 10s.)	2
Under ditto,	1	Ditto, under 10s.	1
Turf, per load,	1	Turf, per load,	1
Butter, per cask,	1	Butter, per cask,	1
Standings,	10	Standings,	2
Weighing under one hundred-weight,	0½	Weighing under one hundred-weight,	0½
Ditto, over one hundred-weight,	1	Ditto over one hundred-weight,	1

James Hugh Smith Barry, Esq. *Proprietor.*
James Reardon, *Collector.*

3697. Are tolls charged on any other than market-days?—No; they are not.

3698. Are the tolls paid by the buyers or sellers?—Tolls are paid by the sellers on all agricultural produce sold in the market, and by the buyer on all cattle sold in the market, and upon every thing sold in the fairs.

3699. Is there an enclosed market-place?—No; there is not; the market is held in the streets. There is a market-house, which is large enough for its purpose.

3700. Is all the agricultural produce sold in this town weighed and sold in the market?—No; a great portion of the corn sold is weighed and sold in the merchants' stores. There is a market-place behind the market-house, containing about one Irish acre.

3701. Would it be large enough if all the agricultural produce brought into the town for sale was brought into it?—It would.

3702. Is butter sold in this town?—There is a butter market which belongs to private parties. There is only one public market-place.

3703. Has there been a sworn weighmaster appointed under 4th Anne, cap. 14?—I am the weighmaster of the market, but I have never taken any oath.

3704. Are there beams, scales, and weights in the market?—There are for both corn and potatoes.

3705. Is there a weigh-bridge?—No; there is not.

3706. Are any of the men employed under you to weigh, sworn?—No; they are not.

3707. Is there any charge for weighing corn in the market?—No; the charges in the market are for tolls, not for weighing. There is no charge besides. All corn and potatoes that come into market have to pay whether they weigh or not; but they may come into the street, and not pay. In that case they are charged toll only if they are sold.

3708. I see by the toll-board that you charge a toll upon turf. Are you aware that such toll is illegal?—No; I never heard it was.

3709. How long are the tolls leased?—I think it is more than sixty years since they were first let.

3710. From what was the present toll-board made out?—I do not know, the charges upon it are exactly the same as I found them.

3711. Do you make a charge for any thing that is not upon the toll-board?—No, I never do.

3712. Do you also rent the tolls of the fairs?—I do. There are only four fairs held in this town in the year: the 5th of April, the 24th of June, the 10th of October, and the 10th of December.

3713. Are these fairs held in an enclosed fair-green?—No; they are held in the streets of the town. There is a fair-green, but the people prefer the streets.

3714. Is the fair-green large enough for all the cattle coming in for sale?—I do not think it is; but at any rate the shopkeepers of the town much prefer to have the fairs held in the streets; they like the bustle it causes in the town, and think they make more money by having it there. I think the country people also prefer to have it in the street, as thus they have some shopkeeper, who is their friend, near, to go security for them in case any dispute or other circumstance may make them require such.

3715. How are tolls levied at these fairs?—Tolls are levied only upon cattle sold, when leaving the fairs; a man stands at the gap to collect the tolls, and he asks each driver going out if his cattle are bought or sold; if a man he does not know says his cattle were not sold, the toll-collector hits him on the hand with a piece of paper, and makes him then say whether they are sold or not. I think, however, I would get as much toll without making use of the piece of paper, and only do so because it is an old custom; I do not believe they look upon it as an oath; I know nearly all the people frequenting the fairs, and do not require any one I know to do this.

3716. Is there a toll-board at each gap?—Yes; but the men at the gaps do not charge, in many cases, as much as is on the board, and I do not think they ever charge more.

TIPPERARY, 26th November, 1852.

354. James Reardon.

3717. How do these men account to you for the tolls they receive at the fairs?—The only way they account is to give me the money they collect. I have, therefore, no means of keeping an account of the number of cattle sold.

3718. Are there many pigs sold at these fairs?—The pigs are not sold upon the regular fair-days; they are sold the market-day immediately preceding each fair.

3719. Do you not think it would be better to charge a small toll upon all cattle entering the fairs, instead of the present toll upon those only that are sold when leaving it?—I do; and I think in that case one-third of the present amount of toll would pay the proprietor as well.

3720. Is there a public butter market in this town?—There is a butter market, but it is not a public one; it was built by private individuals, and no person need go into it who does not choose. The butter brought into this market pays 1*d.* a cask on market-days; nearly all the butter brought into the town is weighed in the merchants' stores; I only get toll if the butter goes into the butter market on market-days, and is weighed there.

3721. What rent do you pay for the tolls?—I pay over £100 a-year for them, and poor-rate, on a valuation of £50 per annum.

3722. Have you ever heard of any frauds being practised in weighing at the merchants' stores?—Never. At the same time I think the system of weighing at the private stores affords facilities for frauds, and that every thing ought to be weighed in a public market.

3723. Would you be in favour of a general market, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster, in which all the agricultural produce sold in town should be sold and weighed?—I would; I think it would give confidence to the farmers.

355. Thomas Dorton.

Thomas Dorton examined.

3724. Where do you reside?—About a mile from this town.

3725. What is your occupation?—I am assistant-weighmaster under Mr. Reardon.

3726. What is the system of weighing in this market?—We weigh corn down weight; the scale must touch the ground; the smallest weight used is one pound; we deduct four pounds for beamage from each barrel, and no tret; we deduct the actual weight of the sack, and make no other deductions.

3727. Are the odd pounds of corn paid for?—They are.

3728. What is your system of weighing potatoes?—We weigh potatoes down weight; one pound is the smallest weight used; we do not weigh the bag, but allow what we think is fair for it; we deduct from seven pounds to fourteen pounds for the bag; never more than twenty-one pounds; it rests with me what shall be deducted for the bag.

3729. What is your system of weighing wool?—We weigh wool down weight, with one pound, and deduct eight pounds tret upon every twenty stone, and the actual tare of the pack, whatever it may be.

3730. What docket do you give the seller?—I give a docket to the seller only if it is required; but when weighing agricultural produce of any kind, I generally mark the weight upon the scale or seller's hat.

3731. Do you keep any book in which you enter any particulars of the agricultural produce weighed?—No; I keep no book of any kind, nor could I furnish any statistics, or give a duplicate of any ticket I may give a seller.

3732. What toll do you charge in the market?—We charge ½*d.* for any draught under one hundred-weight; 1*d.* for any draught from one hundred-weight to twenty stone; and 1½*d.* for any quantity over twenty stone.

3733. Is there a weigh-bridge in the town?—There is.

3734. What is your charge for weighing at the weigh-bridge?—The charge is 2*d.* up to eight hundred-weight, and 3*d.* if it exceeds eight hundred-weight.

3735. Do you keep any book in which you enter the nature and quantity of what you weigh at the weigh-bridge, and do you give a copy of such entry to the buyer or the seller?—I keep a book of the kind you mention, and give a docket to the seller.

3736. Do you always tare the cart?—I generally do, but not always. For instance, if hay was going into the country, and the parties agree to it, I enter the tare of the cart, if it has been lately weighed; if it was not lately weighed, I would not give the tare of the cart upon the ticket; and, I in general enter upon the ticket the gross weight of the load, the weight of the cart, and the name of the seller; I never give the weight of the cart without taring it, unless it is going to the country, under the circumstances I have just mentioned. If a load was sold in the market-square, and not weighed, I would charge a toll upon it, by guessing at its weight, and charging accordingly.

356. Mich. Coleman, esq.

Michael Coleman, esq., examined.

3737. Where do you reside?—In this town.

3738. What is your occupation?—I buy largely in this market.

3739. What is the system of weighing at your stores?—In weighing oats at my stores, on each barrel we call out one pound less than standing beam; we use a one pound weight, and deduct four pound beamage and the actual weight of the bag; we make no charge for weighing or porterage, and in case he sells and weighs at my stores, the farmer does not pay any tolls.

3740. Would you be in favour of a general market, such as I described to the first witness?—I would; the farmer often prefers to sell at a less price to some merchants, because he

knows he gets fair play from them, which he would not from the others, who might nominally give him a higher price for his corn.

356. Mich. Coleman, esq.

3741. Would you be in favour of an assimilation of weights and measures over the whole country?—I would; I think it would be better to sell everywhere by the stone.

3742. Would it not be better in all cases to weigh standing beam, using as small a weight as one pound, and abolish all other deductions, except the actual weight of the empty sack?—I think it would be a much better system, and the price could then be regulated accordingly. I think the present deduction for beamage offers a premium upon bringing corn in dirty; a uniform system of weighing would be a great advantage.

3743. Do you not think that there ought to be an assimilation of tolls also over the whole country, and that what are reasonable tolls should be defined by Act of Parliament?—I do; it would simplify matters very much.

3744. Do you not think the market ought to be opened and closed at certain fixed hours?—I do; I think it should begin at ten o'clock in the morning, and close at four o'clock in the evening; I cannot think that any difficulty or inconvenience could result to the farmers from this system, as they would bring their produce in then at the proper hour.

3745. Are you not of opinion, that all corn, and other agricultural produce, should be weighed at the public scales?—I am; I think it should be all weighed in the public market; I do not think that it need be weighed, however, until it is sold, but if sold, it certainly ought.

3746. Would you be in favour of obliging the proprietor of a fair to provide a properly enclosed fair-green, and proper accommodation, in return for the tolls levied?—The present system of holding the fairs in the streets seems to satisfy all parties here, and Mr. Smith Barry is, I believe, about to establish monthly fairs here in the streets, toll free; but, on the whole, I must say, I think the best system is to have the fairs held in a properly enclosed fair-green, and moderate tolls paid by each person bringing cattle for sale into it.

3747. Can you state the quantity of corn sold in this town, in the year?—I should say between 40,000 and 50,000 barrels.

Mr. *Robert Hewson* examined.

357. Mr. Robert Hewson.

3748. Where do you reside?—I reside in this town; I am in the butter trade, and buy a good deal of butter in the market here.

3749. Under what authority is the butter market here held?—It was established by the local magistrates here, by whom the weighmaster was formerly appointed.

3750. Who is the owner of this market?—The market-house belongs to Mrs. Harcourt, who got it upon her husband's death. It is at present her private property, and she could shut it up to-morrow if she chose.

3751. What is the charge for weighing and inspecting butter in this market?—The charge is 3*d.* a firkin on each day in the week, except on Thursday, when there is another 1*d.* charged. These charges are exclusive of cooperage.

3752. What staff is employed in the butter market?—There is an inspector, a weighmaster, a man attending the scales, and a boy for sweeping out the market.

3753. Can you state the quantity of butter sold in this town in a year?—There is a very large quantity sold, I should say about 150,000 firkins, and the value of the butter sold here cannot be less than £300,000. I should think, next to Cork, this was the largest butter market in this country.

3754. Is butter sold by lump or weight?—It is sold by lump, and not weighed; that is, each cask is sold and supposed to weigh gross, three quarters of a hundred-weight; and if it does not come up to that weight, there is a deduction made from the price; if it should weigh more than three quarters, we do not increase the price.

3755. Do you not think selling butter by lump is objectionable?—I do; I think a law ought to be passed forbidding any butter to be sold by lump.

3756. Is all the butter bought by you weighed and sold in the market?—No; a great portion is brought to my stores without passing through the market.

3757. Is the butter weighed at the butter market before or after it is sold?—After it is sold by lump, in the manner I mentioned to you; I think, however, that all butter should be bought by weight, weighed and inspected in a public weigh-house; some of the farmers prefer bringing their butter to the stores of the merchant direct, as they thus escape the 3*d.* a firkin toll that is charged in the market.

3758. Are you not of opinion that the system of weighing at the merchants' stores affords facilities for fraud?—I am; I think it leads to frauds both on the part of buyer and seller.

3759. Have you ever heard complaints of the system of weighing in the market of this town?—No; I have not.

3760. Do you buy the butter inspected in the market, and pay according to the quality which is branded upon it in the market?—No; I judge of the quality of all butter that I buy, whether it has been branded or not in the market, and I do not go implicitly by the inspector's brand. If I do not think the butter is of as good a quality as the inspector brands on it, I will only give the price I think it is worth, and always ship the butter upon my own brand.

3761. Then what use is the market?—The market is of this use, that many farmers will go to it as they expect to find the greater number of buyers there, but as many do not frequent it as there would if full confidence was placed in the way butter was qualified there.

TIPPERARY, *26th November*, 1852.

357.

Mr. Robert Hewson.

3762. What proportion of butter coming into this town is branded first quality?—I should say about two-thirds.

3763. How do you brand the butter you export?—I brand it generally, if it is first quality, with a fictitious brand, marking it as O'Brien's Carlow butter, which is my best butter. The worst I brand with my own name, and make it Hewson's O'Brien's. Another quality I call O'Brien's Waterford, which is not quite so good as O'Brien's Carlow. This is no fraud upon the buyers in London, as they are well acquainted with my system of branding, and know that it is my butter; I only adopt these brands to distinguish the qualities of the butter in each firkin; and it is the character such butter coming from me possesses that sells it there.

3764. Do you know of any frauds being practised by the farmer in making up his butter, or the merchant in preparing it for exportation?—Yes; the farmers fill the middle of the firkin sometimes with pickle; they also colour it with some sort of drug, and also buy the scrapings that are taken out of the tops of the firkins, and mix them with other butter; the latter is the fraud most practised here.

358.

Thomas Reardon.

Thomas Reardon examined.

3765. Where do you reside?—In this town. I have a dairy, and keep sixty cows, and sell about 180 firkins of butter in the year.

3766. Have you any suggestion to make as to the manner of conducting the butter market?—Yes; I think all the butter sold in this town should be sold in a public market, inspected by a sworn inspector, and weighed by a sworn weighmaster. I would have it all sold by weight, and do away altogether with the lumping system. I would oblige all parties to sell every thing in the public market.

3767. Would you be in favour of a general market for all kinds of agricultural produce, with sufficient accommodation, an efficient staff, and under the supervision of a sworn weighmaster, in which all the agricultural produce sold in the town should be sold and weighed?—I would.

3768. Do you not think that all agricultural produce should be weighed standing beam, with as small a weight as one pound, and that no deductions should be made from the gross weight of the draught, unless the actual weight of the empty sack?—I think such would be a great improvement upon the present system of weighing.

3769. Have you any observations to make respecting the fairs here?—I think a proper fair-green should be provided by the proprietor of a fair; it should not be held upon the highway, nor in a field, where the people are up to their knees in water, but in one fit for the purpose. I would also do away with the present system of swearing people going out of the fairs, by slapping their hands with a piece of paper, or any thing else, and would have a small toll levied instead upon all cattle entering a fair.

359.

Michl. Coleman, esq.

Michael Coleman, esq., re-examined.

3770. Can you add any thing to the evidence that has been already given, as to the system of qualifying butter in this town for exportation?—I qualify a great deal of butter, which I buy in this town for the London market; I ship my butter under the brands of Coleman's Clonmel and Coleman's Waterford, although the butter comes from the counties of Clare and Kerry. A proper public butter market is very much required here. I wish to state to you the system practised in the purchase of butter by the butter merchants, as, although I am obliged to practise it myself, it being the custom of this town, I consider it very objectionable, and that it should be altered. The system is this, although each firkin is purchased by lump, it is purchased upon the supposition that it weighs gross three quarters, and that the cask, in all cases, weighs fifteen pounds, and that therefore the net weight of butter in each firkin is sixty-nine pounds, and the price is therefore considered to be for sixty-nine pounds of butter. If the butter is sold at a sum which exceeds by a fraction the rate of 8*d.* a pound, and does not, after deducting the cask, weigh sixty-nine pounds, there would be 9*d.* for each pound that was deficient deducted from the price agreed upon; and in like manner, if the price at which a firkin of butter was sold was 51*s.* 10*d.*, as sixty-nine pounds of butter divided into that sum would be a fraction more than 9*d.* a pound, 10*d.* would be deducted from the sum agreed upon for each pound that the butter was less than sixty-nine pounds. I would also wish to observe, that with some of the merchants here, there is a great deal of disputing as to the tare. Butter is very often bought by some merchants here above the price of the day, and when it is brought into their stores, they endeavour to cheapen it by deducting too much tare, and the farmer cannot take the butter elsewhere for sale, as it has been blown upon by the fact of its having been at that store and leaving it unsold. All these evils would, I think, be removed, by having a competent sworn weighmaster, and making all butter be weighed and inspected in the market. The system of buying butter by lump, and not by weight, has the result of giving too great a price to one and too little to another.

3771. Do the firkins always weigh fifteen pounds?—They are always supposed to weigh fifteen pounds at least, and at my own store I have found a firkin, on the butter being stripped, weighing as much as twenty-five pounds.

3772. Does the butter of this market stand as high as the Cork butter?—The butter exported from this town and market as first quality by some of the merchants here, brings 2*s.* per hundred-weight more than Cork or Limerick butter; it is milder, not being so

much salted as it is in those towns for foreign trade. I think, perhaps, the best course to prevent fraud in the sale of butter would be to have it all decanted, as is done in the London butter markets.

TIPPERARY, 26th November, 1852.

359.

Michl. Coleman, esq.

Mr. *Hewson* re-examined.

Mr. Hewson.

3773. I beg to add, that the reasons for deducting an increased rate per pound for each pound that a firkin is below sixty-nine pounds are, that the butter merchant has bought it believing it to be that weight, and if it is not that weight the butter would not be worth so much to him. I agree with Mr. Coleman, that decanting some of the firkins, and then taking an average, as they do in London, would be the best system.

Mr. *Coleman* re-examined.

Mr. Coleman.

3774. Do you not think, if the weight of the casks were branded upon them before the butter was put into them, it would obviate the necessity of stripping the butter in the market?—I think a general system of branding all the casks before they are used would answer instead. I would suggest that there ought to be a public inspection of the weights and measures very frequently.

3775. When were the beams and weights of this town last adjusted?—I think about three months ago.

John Fitzgerald examined.

360.

John Fitzgerald.

3776. What is your occupation?—I am inspector of butter in Mrs. Harcourt's market.

3777. What quantity do you inspect in the year?—About 18,000 firkins are inspected by me. I mark the quality in chalk upon the lid of the cask, using letters to show its quality instead of figures. I have been now inspecting butter these twenty-five years.

3778. How many firkins could you inspect in one day?—I have qualified 300 in one day. I do not taste every cask qualified by me; I think about 300 would be as much as I could qualify in one day. I very seldom do more than one or two hundred.

3779. Did you ever hear any complaints made of the manner in which butter is inspected and qualified in the market?—Never; the buyer sees the butter inspected.

3780. Would it not be better to brand the side of the cask than the head, which must be loose, and therefore, could be easily changed?—I think it would, for the reason you mention, but I do not think the head is often changed.

Robert Dexter examined.

361.

Robert Dexter.

3781. What is your occupation?—I was appointed weighmaster of this butter market by the buyers and merchants of this town, for their own satisfaction; my ticket settles the gross weight of the firkin. I enter upon it the weight, date, and the name of the seller, and my weight is never disputed. After a firkin of butter has been sold, there is always a second agreement between the buyer and seller as to what is to be deducted for the tare of the cask. If the firkin weighs three quarters gross, and the cask is more than fifteen pounds, the real weight of the cask is deducted from the gross weight; if it does not exceed, or is less than fifteen pounds, fifteen pounds only is deducted.

Mr. *George Bradshaw* examined.

362.

Mr. Geo. Bradshaw.

3782. Do you wish to make any statement?—I wish to state, that a farmer came to my store with oats, and after I had weighed the oats, I found them so bad, that I refused to take them; he then went to another store, and came back afterwards to me with a ticket given by the merchant, to whose store he had gone from mine, and the ticket returned the oats as four stone less than I had weighed it. In this town there are some merchants, to whom the farmers will sell their corn a halfpenny a stone less than they will to others, who they know weigh the corn at their stores fraudulently, and who offer a large price, but make up for the increased price they give by the overweight they take at their stores.

William M'Curtin examined.

363.

Wm. M'Curtin.

3783. You have heard the statements and suggestions of the several witnesses. Do you concur generally in them?—I beg to say that I am a farmer, and have a large farm near this town; and I quite concur with the evidence given and suggestions offered by Mr. Coleman and Mr. Hewson.

THURLES, NOVEMBER 30, 1852.

THURLES, 30th November, 1852.

James Lenigan, esq., J.P., examined.

364.

J. Lenigan, esq. J.P.

3784. Where do you reside?—I reside at Castle Fogarty, in this county.

3785. Under what patent or authority is this market held?—Under a patent granted by Charles the First, in the second year of his reign.

3786. Who is the owner or patentee of this market?—I am the owner of both the fairs and markets here, under this patent. [*Witness produced the patent and a translation of it.*]

3787. When was this market established?—I cannot speak with certainty, but I believe at the time the patent was granted.

THURLES, 30th *November*, 1852.

364. J. Lenigan, esq. J.P.

3788. What are the market-days?—They are Tuesdays and Saturdays, the days appointed by the patent; and there are two fairs held under the same patent, one upon Easter Tuesday, and the following day; and the other upon two days in the month of August.

3789. Are tolls paid in the market?—They are.

3790. Is there an enclosed market-place?—The market is held on an open space of ground appropriated to it. It is not enclosed. There is a market-house, but it is used solely for selling meat. The fairs are held in the same place as the market.

3791. Has there been a weighmaster appointed?—Honora Brennan acts as weighmaster.

3792. Are tolls levied at the fairs held in this town?—Tolls are levied at the fairs held under the patent, but there are other fairs held here, which are not authorized by the patent, and at which tolls are not collected; I never heard of any other patent connected with the fairs or markets of this town, but the one I have produced to you. I at present hold all the rights ever possessed or enjoyed by the lord of this manor.

3793. Are the tolls of the fairs or market let to any person?—The tolls of the fairs are collected for myself, and the tolls of the market are let to Honora Brennan.

Honora Brennan examined.

365. Honora Brennan.

3794. Where do you reside?—I live in this town.

3795. What is your occupation?—I hold the tolls of the market at a yearly rent, and I collect the tolls for myself. I paid the rent to Mr. Lenigan, until the Town Commissioners prevented me charging tolls, unless I weighed the articles. I charged the tolls, for I used to charge 1*d.* a hundred-weight, and 1*d.* a weight toll for potatoes. The Town Commissioners sent a letter to me, and said that they had power to prevent me charging more than 1*d.* a draught for any article.

3796. What are your present charges in the market?—I charge 1*d.* for every draught over five stone, and a halfpenny for all under that weight, and I do not get any thing unless I weigh the article. There are thirty weighing machines and scales in the town at work every day.

3797. Why did you mind the letter of the Town Commissioners?—I do not know; they sent me a notice, and I got afraid of them.

3798. What staff is employed in the market?—I act as weighmaster, and my daughter assists me; I employ two men at the scales; I collect all the tolls myself.

3799. How many sets of beams and scales are in the market?—Two; they are quite sufficient to weigh all that is brought to be weighed in the market.

3800. State the system of weighing in the market.—We weigh with a turn of the beam; the scale need not touch the ground; the smallest weight we use is two pounds. If throwing out two pounds made it a thought heavy, I would call out only one pound; we deduct four pounds a barrel as beamage, on all kinds of grain; and the sacks are tared and their actual weight deducted from the gross weight of the draught.

3801. Do you keep a book in which you enter the nature, price, and quantity of all articles sold and weighed in the market, and do you give a copy of such entries to the buyer or seller?—I do not keep any such book; but I generally give a ticket of the weight to everybody. I generally first chalk the weight upon the seller's hat, and then give him a written ticket of it.

3802. If the ticket you gave the seller was lost, could you give him a duplicate?—No; I could not.

3803. I suppose you could not give a return of the quantity and nature of the agricultural produce sold in a year in the market?—I could not.

3804. What is your system of weighing potatoes?—We weigh potatoes with a turn of the beam; seven pounds is the smallest weight used; we do not cry out the pounds as in corn; we deduct seven pounds for the sack, if the draught is under twenty-four stone; if twenty-four stone, or over, we deduct one stone.

3805. Have you taken the oaths directed to be taken by every person acting as weighmaster, under 4th Anne, cap. 14?—I have not, nor has any person in my employment.

3806. How is wool weighed?—It is weighed to the pound, with a light turn of the beam; there is deducted four pounds from every pack for beamage, and eight pounds from every twenty stone for tret, and the actual weight of the sack.

3807. Do you weigh butter in the market?—No; I never get any. A great deal even of the corn and potatoes sold in the town is weighed in the private stores.

3808. Of what does a barrel consist?—A barrel of wheat weighs twenty stone; a barrel of oats fourteen stone; a barrel of barley and bere, sixteen stone, and a barrel of potatoes, twenty-four stone.

3809. What does a stone consist of?—A stone is always fourteen pounds, except in the case of wool, which is sixteen pounds.

3810. Have you ever heard complaints of the weighing in the merchants' private stores?—I have, very often; but have not any means of knowing whether they were well-founded or not. If corn is sold in the market-square, and they refuse to weigh it, I only charge $\frac{1}{2}d.$ toll for each sack.

John Molloy examined.

366. John Molloy.

3811. Where do you reside?—At Castle-Fogarty; I am agent to Mr. Lenigan, and collect tolls for him at the fairs.

3812. Is there an enclosed fair-green?—There is not.

3813. Do you collect all the tolls upon the board?—No. The fairs here are very poor,

the expense of the collection is about 14*s.*, and the receipts are about 30*s.* on each fair. There are never any horses sold in the fair.

THURLES, 36*th November*, 1852.

366. John Molloy.

3814. What are the tolls levied in the fairs?—This list is a copy of the toll-board.—[*The following is the list referred to by the witness*:]

SCHEDULE of TOLLS, &c.—Customs of two Old Fairs in THURLES.

	s.	*d.*
For each horse, mare, or gelding,	0	6½
„ cow or bull,	0	6
„ heifer,	0	3
„ calf,	0	1
„ sheep,	0	1
„ lamb,	0	0½
„ pig,	0	3
„ tradesman's property,	0	4
„ pitched covered standing,	1	0
„ small article, can or tub,	0	1
„ uncovered standing,	0	6
„ hawker,	0	4
„ woollen ware,	0	4
„ loaded car,	0	6

	s.	*d.*
For each butcher's stall,	0	4
„ suckling boneen,	0	1
„ entire horse,	1	1
„ thousand of plants,	0	2
„ hundred of salleys,	0	1
„ ass, or mule,	0	3
„ load of turf,	0	1
„ kish, basket, or cradle,	0	1
„ can of milk,	0	1
„ tub, or basket of potatoes,	0	1
„ lump of butter,	0	1
„ goat,	0	1
„ show-box,	2	6

3815. Are tolls paid by the buyer or seller?—By the seller in markets, and the buyer at fairs.

3816. State the system of collecting tolls at the fairs?—If the driver of cattle going out of the fair tells the men at the gap that the cattle have not been sold, they make him touch the toll-board to clear them; I know it is illegal to do so, but it is the custom, and I could not get on without it.

3817. Do you not think such a system leads to perjury?—I cannot say; but I think it has a tendency to make them think lightly of an oath; but were it given up, I would get very little toll.

3818. Do you not think it would be better to charge a small toll upon all cattle entering the fairs, instead of the present system?—I do; but I am afraid it would be difficult to levy some of the tolls upon cattle coming in.

3819. What proportion of the cattle coming into the fairs are sold in them?—I should say about four-fifths are sold; the new fairs are free, no toll is collected in them.

3820. Have you ever heard complaints of the weighing in the market?—I have.

3821. Would you be in favour of a general market?—I would.

3822. Would it not be a much better plan to weigh all agricultural produce at standing beam, with one pound weight, abolish all deductions except the actual tare of the sack?—I think it would; the buyer might then regulate his price accordingly.

3823. Have you any suggestions to offer for the better management of this market?—I think the present market-place could easily be made sufficient, if Mrs. Brennan wished it. There are several other scales or weighing machines set up by private parties for weighing hay and straw; I do not think they weigh small articles in them. Mrs. Brennan holds the tolls by the year. It was to avoid paying tolls to Mrs. Brennan that these private parties put up their scales.

3824. Do you know of any frauds being practised at the merchants' stores?—I do not know of any being practised in this town; but I have known them practised in Clonmel.

3825. Has Mrs. Brennan taken any steps to prevent those private parties weighing out of the market?—She has not, and since the letter of the Town Commissioners she can only collect the tolls in the market-square.

James Hayes, esq., examined.

367. James Hayes, esq.

3826. Where do you reside?—In this town.

3827. What is your occupation?—I am a corn buyer and farmer; I buy a good deal of corn in this town, and weigh it at my own stores; I could not weigh it in the market-scales, although I buy it in the market.

3828. Are there sufficient beams and scales in the market-place to weigh all the corn sold in this town?—No, not near sufficient; the corn sold in one day in this town could not be weighed with the present market accommodation in a week.

3829. Have you ever heard any complaints of the mode of weighing in the private stores?—No; the system of weighing in the stores is to weigh with a one pound weight, tare the sacks, and deduct four pounds beamage.

3830. Do you consider weighing in the private stores objectionable?—No; I think it would be very inconvenient to weigh all the corn I purchase in the market scales; I would not object to my corn being weighed by Mrs. Brennan if there was no charge for it, but I consider it would be a great grievance to the countryman to have to pay Mrs. Brennan.

3831. Have you ever heard any complaints against the weighing in your own stores?—I never have.

3832. If there were a sufficient number of beams and scales and other accommodation in the market, would it not be better to have all corn weighed there?—I buy sometimes 300 barrels of corn in a day, and if there were 1,000 sets of scales in the market, it would

THURLES, 30th November, 1852.

367. James Hayes, esq.

be inconvenient for me to weigh in them; the farmer can see the corn weighed in my stores, and my weights are all stamped; I much prefer weighing in my own stores, and the farmer will not pay for weighing in the market scales.

3833. What is the greatest quantity of corn sold in this town in one day?—About 2,000 barrels; there would be dreadful fighting to get at the scales if it all had to be weighed in the market, nor do I think the streets would be large enough to contain the carts coming in; another market-place should be provided.

3834. Is there any other deduction made except the beamage you mention?—There is not; I think beamage ought to be done away with, and the price reduced in proportion to the state the corn was in; we buy here by the stone, and I think buying by the stone is the best, and ought to be the system all over the country.

3835. Is there any deduction made in weighing potatoes?—There is a stone allowed on a barrel of potatoes for dirt and cleaning.

368. Mr. Edw. De Courcy.

Mr. *Edward De Courcy* examined.

3836. What is your occupation?—I buy corn in this town for Mr. Russell, and weigh it in my own stores.

3837. What is the system of weighing at your stores?—I weigh standing beam, deduct four pounds beamage on a barrel; two pound is the smallest weight used, and I tare the empty sack.

3838. Do you not think it would be better to have all corn sold in a general market such as I described to a former witness?—I think it would be much better to sell and weigh in a well-regulated market, both for buyer and seller, and would do away with a great deal of suspicion which exists in the minds of the farmers, as there is no doubt that weighing at the merchants' stores affords facilities for frauds.

3839. Do you not think all deductions ought to be done away with?—Yes. I would have, as you suggest, all corn weighed at standing beam with one pound weight, and abolish all deductions from the gross weight of the draught except the empty sack, and then if the farmer brought in his corn clean he would be paid accordingly; and I would put a heavy penalty upon a person selling corn worse than the sample.

3840. Do you think much inconvenience would be caused by having all corn weighed in the market here, provided proper accommodation was afforded?—I do not. I beg to say that I have heard reports of frauds in weighing at the merchants' stores, but I do not think they are much practised in Thurles; I do not think it would make much difference whether corn were sold by the barrel or the stone, provided there was a uniform weight over the whole country; buying by the barrel may, however, be a slight advantage to the buyer.

369. Thos. Hennessy, esq.

Thomas Hennessy, esq., examined.

3841. Do you wish to make any statement?—I beg to state that I am the Chairman of the Town Commissioners, and that we sent the letter referred to, a copy of which I now produce, to Mrs. Brennan. We told Mrs. Brennan not to charge more than 1*d.* on each article, and that if she continued to charge more there would be a rival market set up; and the letter states that if she continued to seize the horses under the carts for the tolls, the Town Commissioners would proceed against her. The letter states that it was not right to charge tolls upon corn unless it was sold in the market; cautions her against exacting tolls upon what is sold in the town, unless it is weighed in the market scales.

3842. Has not Mr. Lenigan a right under his patent to levy tolls upon all corn that is sold in the town, whether brought into the market-place or not?—I do not think he has. The reason for writing the letter referred to was, because the corn market was injured by the tolls being collected and the manner of their collection, and in order to put a stop to them the letter was composed and sent by a full meeting of the Town Commissioners; the reason we wrote this letter was because at that time we were a young Corporation and did not want to get into law, so we merely sent the letter which stopped these tolls being levied ever since.

3843. If all the corn sold in the town had to be weighed in the market scales, would the present accommodation be sufficient?—No; it would take several days to weigh, in the present market scales, the corn sold in this town in one day.

3844. Do you not consider the system of weighing in private stores objectionable?—I do. A corn buyer was some time ago found guilty of practising frauds in this town in weighing at his private stores, and punished, and since then, I do not think there is so much fraud practised; I think the charge in this market was, originally, for weighing or cranage and not for tolls, and the Commissioners interfered, because the carts were seized for tolls.

3845. Would you be in favour of a general market such as I described to a former witness?—I would; but I do not think the cranage fees would pay the expense of maintaining such a market here; however, as a general rule, I think well regulated general markets should be established all over the country, under the superintendence of a sworn weighmaster.

3846. Do you not think it would be better to weigh all agricultural produce at standing beam with one pound weight, and abolish all deductions except the actual tare of the sack?—I do; beamage at present is sometimes deducted upon the sacks as well as on the corn.

THURLES,
30*th November*, 1852.

369.
Thos. Hennessy, esq.

3847. Would you be in favour of an assimilation of weights and measures over the whole country?—I think such would be a great advantage.

3848. Have you any suggestions to offer as to the fairs?—I would be in favour of charging a small toll upon all cattle entering the fairs, instead of the present system.

Robert Sutcliffe, esq., examined.

370.
Robert Sutcliffe, esq.

3849. Have you any suggestion to make?—I beg to say that I would be very much in favour of having a well regulated market provided, and every thing sold in the town weighed in the public scales there.

Clonmel, December 1, 1852.

CLONMEL,
1*st December*, 1852.

371.
John Hackett, esq., Alderman and J.P.

John Hackett, esq., Alderman and Borough Justice, examined.

3850. Under what patent or authority are the markets held in this town?—I think they are held under the old charters.

3851. The charters of William III.?—There are three charters—one of Charles, one of James II., and one of William III.

3852. The Corporation claim to be the proprietors of the markets?—Yes, they do.

3853. What are the days upon which the markets are held under these charters?—Tuesdays and Saturdays in every week.

3854. Are there any fairs held under these charters?—Yes, there are two—one on the 5th of November, and the other on the 5th of May. These are what are called "old fairs," held from time immemorial. About thirty years ago the lord of the soil, the grandfather of the present Mr. Bagwell, obtained a patent for holding ten fairs annually—once a month—on the first Wednesday in every month, except in those two months which I have mentioned, May and November.

3855. Is the Corporation authorized to levy tolls and to hold a court of *pie poudre*, the latter to settle disputes between buyer and seller?—They are authorized to levy tolls, but they have long since been given up. There is a court of conscience and a petty sessions court held once a week—on the Wednesday in each week.

3856. Were tolls paid?—Yes.

3857. What was their probable amount, do you recollect?—They varied in their amount; they amounted, I should say, from £300 to £500 a year. Perhaps more. When I say £500 a year I allude to the sum for which they were rented, but they might produce three or four times that amount. I recollect one gentleman, Mr. William Harvey, holding them a long time, but they were subsequently abandoned, because they became extremely oppressive to the people. Several persons—myself amongst the rest—endeavoured to get rid of them, and after much struggling we succeeded.

3858. Were there any law proceedings?—There were several trials, the result of which was that the Corporation gave up the tolls.

3859. Were they defendants in the case?—The Corporation were made defendants, but they evaded coming to trial. It is a great while ago, so that I cannot charge my memory with the facts correctly.

3860. Can you give us any evidence as to the tolls levied at that time?—I think I can give you evidence about them by referring to a case which I myself reported and published. If the Clerk of the Peace were here he could give you the schedule of tolls which must have been lodged in his office.

3861. Are the markets still held on Tuesday and Saturday?—They are.

3862. Are there enclosed places for the sale of corn, cattle, and pigs?—We have no markets that we can call our own; we have no corn market; we have no enclosures for the sale of cattle or pigs. We have a potato market, but that is private property, and not under the control of the Corporation. In truth, we have no public market that I know of, except the butter market, which was built by private subscription. The persons who subscribed to build it are nearly all dead. Mr. Bagwell is the ground landlord of that market, and the rent of it is £30 a year.

3863. Did the new Corporation of Clonmel establish any right over the butter market?—I was the first mayor here, and I thought to establish every right the Act of Parliament gave me, but I was prevented from carrying my intentions into effect by being told that Lord Lyndhurst's Act gave a right to the old weighmasters.

3864. Was no weighmaster appointed by the Corporation?—Not since 1840; the old Corporation appointed the present weighmaster, and the new Corporation will have the power to appoint when the present weighmaster dies, but the Act continues the present weighmaster.

3865. Does he hold during good behaviour?—It would be a strong inducement to remove any man if he had not good behaviour, the want of which is analogous to corruption.

3866. I see from this schedule of tolls now handed me by the Deputy Clerk of the Peace that tolls used to be collected in kind; was that so?—They used to be collected in a disgraceful way, but I do not think there is any use in referring to them now as they are abolished.

3867. Where is the corn sold?—At the merchants' stores, and about the streets.

CLONMEL, 1st *December*, 1852.

371.

John Hackett, esq., Alderman and J.P.

3868. Where are the potatoes sold?—They are sold at present in the market that I have alluded to in a former answer.

3869. Is there any public weighmaster for weighing grain?—No.

3870. Are there no public beams, scales, and weights for weighing the corn and grain brought into town for sale?—None that I know of; there are some, but then they are private property.

3871. Where is the agricultural produce, brought into town, sold and weighed?—At the merchants' stores; there are weighing machines, but they are private speculations, and we have nothing whatever to do with them.

3872. Are there any fairs held still under the charter of the old Corporation?—There are two old fairs held at the periods I have mentioned, May and November.

3873. Are any tolls levied at these fairs?—No.

3874. Have you ever heard complaints against the system of weighing in private?—I have heard many when I was mayor, and I will venture to say that there has not been a mayor in office since my time that has not heard similar complaints.

3875. Of weighing unfairly?—Yes, weighing unfairly; but then it is not a general thing, for we have as respectable merchants in Clonmel as there are in Ireland—merchants that would be above such a practice.

3876. But does not this weighing in private give an opportunity to those who are fraudulently disposed to perpetrate frauds?—Yes, decidedly it does.

3877. Do they weigh standing beam or down weight?—They give the turn of the beam.

3878. Must the sack touch the ground?—No, only a cast of the beam.

3879. What beamage is taken from the gross weight?—I am not in the trade, and therefore cannot speak from my own knowledge; but Mr. Malcolmson, who is one of the most respectable men in the trade, will inform you upon that point.

3880. When was the butter market established?—I recollect, when I was a boy, that there was a most miserable building on the old quay, and at that time there were many respectable traders in the town who thought it a disgrace to have their market in that way, and a subscription was set on foot, and over £1,000 was raised, and the butter market we have now was built. An immense trade in butter was then, and for years afterwards, carrying on. The subscribers took no value for the money which they advanced. The subscribers have all died away, nor do I think there is now one of their representatives to be found.

3881. Who gets the fees paid in this butter market?—I think the weighmaster. The old weighmaster resigned, and the present one, Mr. Thomas Chaytor, whose office is one of very considerable emolument, was appointed. I believe his receipts are upwards of £400 a year.

3882. Does the present weighmaster derive all the emoluments, and appropriate them to his own uses?—He has to pay a butter taster out of what he gets; he pays the expenses and the rent.

3883. Does he account to the Corporation for what he receives?—He does not; I have carefully read over all the proceedings of the Corporation, and I have not found any record of his accounting with the Corporation for his receipts.

3884. Is it compulsory on all butter coming into the town to go into the market to be sold?—I don't think it is; there is butter bought without its going into the market.

3885. Would you be in favour of a general market, with weighmasters, with a good and sufficient staff, with reasonable tolls to support that market in good and proper working order?—Most undoubtedly I would, and I have expressed my sentiments repeatedly and to the same effect upon this subject, and all men with whom I have spoken have agreed with me in saying that such a thing ought to be established in Clonmel.

3886. With a small charge on every thing weighed in order to support the concern and keep it in proper efficient working order?—Yes, decidedly.

3887. You are then in favour of a public scales?—Yes, certainly.

3888. Would you be for abolishing all beamage?—Yes.

3889. And to assimilate the weights and measures all over the country?—Yes.

3890. And the tolls?—We have no tolls, as I have said, here.

3891. Oh, but you know that the system could not be kept up without a charge?—Decidedly it could not; it should support itself.

3892. Would you be for assimilating all these weights and manner of doing business to the same mode as they are in Belfast and elsewhere, so that the barrel or the stone in one place should be the same as in the other, and to have the same manner of transacting business adopted?—Yes, I should say so.

3893. Buying by the stone of fourteen pounds?—I could not see any objection; in the potato market they buy by the barrel of twenty stone, and they deduct a stone from each barrel. If you purchase twenty-one stone you only pay for twenty. If you buy twenty stone, you only pay for nineteen stone.

3894. But you would be for an assimilation of the weights and measures all over Ireland, and for one general system to prevail throughout the country, so that if a merchant here took up a Belfast paper he could know the price of oats at a glance. At present he must go into a calculation before he can arrive at the information which, in all probability, he might require?—Yes, I am, decidedly.

3895. Are you opposed to holding fairs in the public streets?—That system is the remains of barbarous times; it is a disgrace to Clonmel, and I have repeatedly raised my voice against it, but it is continued here, I must say, through sheer necessity.

CLONMEL, 1st *December*, 1852.

371.

John Hackett, esq., Alderman and J.P.

3896. Would it not be a good plan to force the proprietor, when he receives the tolls, to have a proper fair-green set apart for the sale of cattle, properly fenced in, and drained and kept dry?—I should say that he should be coerced to do it by a very stringent Act of Parliament.

3897. Would it not be a good thing, in your opinion, to levy the tolls on cattle coming into market, and not on those going out of it, which latter system leads to swearing and its consequences?—I should think so; but I am not now speaking of Clonmel, where we have no such thing; but you could be told horrible tales of that system of proceeding, and these were my inducements to interfere.

Robert Malcolmson, esq., examined.

372.

R. Malcolmson, esq.

3898. You reside in Clonmel?—Yes, I do.

3899. What is your occupation?—Milling and corn trade.

3900. Do you buy largely?—Yes; wheat.

3901. Is there a public market here?—No.

3902. Then you are obliged to buy corn about the streets?—No, not exactly about the streets; but the farmers come with the samples to the merchants, and go from one to the other, in order to get the best prices, and whoever gives them the best price they sell to him.

3903. Do you weigh standing beam?—We take the turn of the beam. The lowest weight is one pound.

3904. What deductions do you make?—Four pounds to the barrel of twenty stone, and if the sack weighs thirty stone we deduct six pounds.

3905. That is four pounds to every twenty stone?—Yes.

3906. Are there any other deductions?—No, except the sack, which we always tare.

3907. In making up the ticket would you pay for the odd pounds?—We pay for every pound.

3908. In weighing in your store do you weigh as exact as that?—That is the system I go on.

3909. Did you ever know a dispute about weighing?—Indeed I did; we had a dispute once with a man about the weight, and we brought his sacks next door, to Mr. Hughes, and we there convinced him that we were correct.

3910. I suppose it would be impossible under the present system to find out the statistics of wheat sold during the year in the town?—Except from the merchants.

3911. Would you be in favour of a public market for the sale of corn?—As far as we are concerned ourselves we would rather have the sales effected in our stores, because there would be a difficulty in getting the corn from the market; and then, if the parcel delivered was not equal to the sample, we would not of course receive it, and then the farmer would be disappointed. In the middle of a bag we have often detected fraud.

3912. Would you not think it right to have a law passed which would inflict punishment in a summary way before the magistrates for an offence of that kind?—There is sufficient law at present for that. If there is deceit in corn we can have it seized and sold by the mayor.

3913. And what protection has the farmer against fraud—how can he tell that he is paid for the full and proper quantity delivered?—None whatever, except the credit of the establishment with which he deals.

3914. How do you deduct the beamage from your corn—is it by the single bag or by bulk?—By the single bag.

3915. Suppose the bag was twenty stone seven pounds?—The clerk puts down twenty stone three pounds.

3916. But suppose it weighed only nineteen stone?—Then there would be four pounds taken off. If it weighed twenty-two stone, there would be five pounds taken off. There is one mill here in which the wheat is all started into a box.

3917. You take the beamage off both sack and corn?—Yes.

3918. Would you be in favour of weighing all agricultural produce with as low a weight as one pound, abolish all deductions, and then regulate your prices accordingly?—I do not think it would make much difference either way.

3919. It would; because when you make these large deductions it encourages the farmer to bring his corn in a dirty state?—If he brought it in in a dirty state there must be further deductions.

3920. Well, but then if it is not in a dirty state, would it not be better for the farmer that there should be a public market where he could have his corn weighed, his price fixed, his docket made out, with nothing to do but deliver into the merchant's store, and no deductions made?—I cannot see that it would make the slightest difference.

3921. Could not the party weighing corn call out a much less weight than that which the corn actually weighed?—He certainly might, if he wished to be a rogue.

3922. If he wished could he not do so?—He could.

3923. On the subject of beamage, don't you consider it an injury to the farmer—does it not keep up a fictitious price?—The largest establishments we have about here are in the constant habit of adopting it so long as I recollect. I would be in favour of an assimilation of weights throughout the country, but I really think they are the same all over the kingdom. They vary in different parts of Ireland. In Clonmel the barrel of potatoes, for instance, is twenty stone, whilst in Cork it is thirty stone. We are all buying here by weight, and that is not the case in England, where they buy by measure. If there could

CLONMEL, 1st *December*, 1852.

372. R. Malcolmson, esq.

be an assimilation between the two countries it would be a great advantage to all parties. They are trying to do away with metres in England.

3924. You would assimilate all weights both in England and Ireland?—Yes, I would, it would be a great advantage to both countries.

3925. Did you ever hear of complaints being made against the weights used in private establishments?—Yes, I did. There have been complaints made against ourselves.

3926. Does not the system offer facilities for the commission of fraud?—It does so.

3927. Would you not be in favour of a public market?—If you do so you tax the farmer. The charge in Cork for weighing is 2*d.*, which is paid by the brokers, and charged over against the farmer.

3928. A public market, to a man so extensively engaged in trade as you are, would be a great saving of time, and would, therefore, be of vast importance to you in that point of view alone?—The great inconvenience to me would be that I could not get the corn delivered into my stores in time. There would be great delay occasioned by weighing and ticketing.

3929. You object to the public market because, in your opinion, it would cause inconvenience and delay?—And expense to the farmer.

3930. That is a consideration for the farmer, but to yourself I cannot see how it could cause either inconvenience or delay?—Perhaps I cannot explain myself to you properly, but we can get our corn in quicker, and pay the farmer earlier, so that he get home in time, than we could if the business was done in public market. In Londonderry, where great quantities of corn are bought and sold, the bell rings at a certain hour, and the whole thing is off before twelve o'clock; and how will they get on in Limerick, where they are to have a public market, and where they will weigh every thing. It is a much larger market than this; besides, buying in a public market puts every man upon an equality, and creates competition, which enhances the value of the article to be purchased. In a public market you may have two honest men beside you, whilst, on the other hand, dealing in private you may be encountered by a rogue; for instance, I have been told that in Tipperary some men will give 1*d.* a stone more than a *bona fide* trader because they have what is called the "thumb" on the weighing. I would prefer things remaining as they are, so far as we are concerned, and as regards the corn market.

373. James Hughes.

James Hughes, miller, examined.

3931. Do you purchase corn in this market?—I do.

3932. Is your system of buying the same as Mr. Malcolmson's?—Yes.

3933. The corn is brought to your stores, and the farmer paid for it there?—Yes.

3934. Do you take beamage?—We take it off in the scales.

3935. Are your deductions on oats and barley the same?—We do not buy much barley.

3936. Do you pay for odd pounds?—Yes.

Referred to in the Report, p. 23, as Q. 3868.

3937. Would you be in favour of a public market provided that proper care was taken to establish one upon sound principles, with an active and an efficient staff to work it?—Unquestionably I would.

3938. You think it would be advantageous to both buyer and seller?—I do, as it would place each upon an equality.

3939. Do you think it would cause delay?—Quite the reverse. It is true we could not get our corn to the stores until after the close of the market, but that trifling delay would be more than overbalanced by the great benefits which it would confer on the buyer and seller in particular, and the public in general.

3940. You consider that the present system of weighing in private offers facilities for practising fraud?—Decidedly. If I now choose to commit fraud I can do it, because there is no check upon me.

3941. Have you heard of complaints against buyers for weighing fraudulently?—Yes.

3942. Would you be in favour of buying by one uniform weight all over the country?—I would.

3943. Do you think the fairest plan would be to abolish all deductions?—I think it would be most desirable; and, with respect to delay, as stated by a former witness, in the delivery of the corn at the stores, the farmer could deliver his corn after market, and the merchant's men could be there to receive it. If there was a corn market and competition the farmer would never go to the private stores, and any ignorant man could tell what was doing. I would wish to see the system carried out here.

3944. Do you think the farmer would object to a charge for weighing his corn in a public market?—I do not look upon the cost of weighing any grievance at all on the farmer, and I am certain he would not object to it.

3945. Then you would be for the establishing of a public market, having all produce weighed in it—assimilating the weights all over Ireland, and abolishing all deductions?—I would.

374. William Smith, esq.

William Smith, esq., examined.

3946. Is your system of weighing the same as Mr. Malcolmson's?—Yes.

3947. Would you be in favour of a general public market?—Indeed I would. It would be a favour conferred, not only on the seller, but upon the buyer. My experience is confined to the oat trade, and a public market would be a great benefit to it.

3948. Do you know of frauds having been complained against during your experience?—Indeed I do; and I am sure they must have been practised. I myself was beaten out

of the market by persons giving ½d. per stone more than I would give; and in the evening of the same day I have bought from the same parties, the same oats, at the same price that I would have given for it in the morning. This has happened to me upwards of one hundred times I am certain.

374.
William Smith, esq.

3949. Then you would be in favour of a general public market, where all agricultural produce could be sold, paying a reasonable sum for weighing, and keeping up an efficient staff of officials?—Decidedly.

3950. And in favour of an assimilation of weights and measures?—Decidedly.

3951. And abolishing all deductions?—Decidedly.

3952. These arrangements would simplify the matter?—Indeed they would very much, and in my mind very beneficially so.

3953. Do you deduct beamage from each bag, or from the gross bags included?—From the gross bags included.

3954. If eighty stone, you deduct sixteen pounds; and so on in proportion?—Yes; that is the custom of the town.

3955. Have you any further suggestion to make about the corn market?—No; but I am decidedly in favour of a public market.

3956. What is the way in which you make up your books?—We deduct the beamage on the gross weight of the sacks. I tare the sacks and deduct the tare afterwards; the man at the scales cries out the weights; but, nevertheless, if I choose to cheat I could do so. If the weighmaster was dishonest he could cheat; he could commit a fraud upon the seller. There is no check upon him at present more than by the seller standing by and seeing his own corn weighed.

John Bagwell, J.P., D.L., examined.

375.
J. Bagwell, J.P., D.L.

3957. Are you proprietor of ten annual fairs in the borough of Clonmel?—Yes, I am.

3958. How often are they held?—They are held every month in the year except May and November, which are old established fairs.

3959. You hold under patent?—Yes; I hold under a patent granted to my grandfather in the reign of Geo. III.

3960. Does that patent authorize you to hold fairs and levy tolls?—It does; and which tolls were always levied until I came to the country, when opposition to the payment of them was made, and then I gave them up.

3961. Were the fairs always held in the street as they are now?—There never was any other accommodation for the old fairs except what the streets afforded them.

3962. Do you think that fairs held on the Queen's highway are not objectionable?—I do not recollect any objection being made on that head, but I do to the levying of tolls. I offered to establish a market, particularly for pigs, and I laid out a piece of ground for that purpose; but the shopkeepers of the town sent a memorial to me not to do so, and I dropped it.

3963. Would you not think it right to compel the proprietor of every fair to enclose, with a wall, a proper piece of ground upon which the fair could be held, and then to levy tolls in a proper manner, not to levy them on the Queen's highway?—I think it would; and I also think that the weight of public evidence and public feeling are in favour of a general market; and I think it would also give satisfaction to the farmer if it did not entail on him too much expense. The tolls of such a market as that would be nothing more than what would be merely necessary to make it respectable—to pay trustworthy persons to conduct it.

3964. Would you object to that?—No, certainly not.

3965. Then you have nothing to say against the utility of public general markets?—I have never heard the subject called in question.

3966. Would you be in favour of compelling all proprietors of fairs to have well-enclosed places where the cattle to be sold at the fair could be exhibited—those places to be kept well drained and dry?—Certainly.

3967. Would you be for an assimilation of weights all over the country, and abolishing of all deductions, beamage, and allowances?—Certainly.

3968. Are you of opinion that it would be the easiest plan for the whole of Ireland to sell all agricultural produce by the stone?—Certainly.

3969. In the event of a general market being established for Clonmel, would you be able to, or could you, provide a proper fair-green?—I would do so, provided the tolls were granted me. I have plenty of ground that would answer the purpose. I would not throw any obstacle in the way of carrying so desirable an object into effect; in fact whatever way the Government act, or whatever they agree to do about it, I will not throw any obstacle in the way. I would, however, prefer that the Corporation should have the ground, they paying me; but if that cannot be done, I will not, as I have already said, throw any obstacle in the way of the Government, even if I could.

Patrick Corcoran examined.

376.
Patrick Corcoran.

3970. Do you reside in Clonmel?—I do.

3971. Are you a corn merchant?—I am.

3972. Do you deal in oats?—I do.

3973. Is your system of weighing the same as Mr. Smith's?—It is, I think. I turn the beam, and I pay for the odd pounds. I deduct four pounds on every fourteen stone of oats; four pounds on every sixteen stone of barley; and four pounds on every twenty stone of wheat.

CLONMEL, 1st December, 1852.

376. Patrick Corcoran.

3974. Would you be in favour of a general corn market?—I would; because I think it would be the fairest way to carry on business; it would protect the farmer and the honest trader.

3975. Have you ever known or heard of any complaints being made respecting private weighing?—Indeed I have. I had occasion to see, not long ago, that a farmer would do better in a public market, than to transact his own business by private sale: he was a customer of mine, and I found that in one case eighteen stone of oats were taken from him on three loads. I gave Dr. Phelan, who was then mayor, the ticket. A few more cases of the same kind occurred: in two or three bags of barley there were three or four stone short. In fact there is no check upon any one who is willing to be a rogue; a farmer does not know, perhaps, what he is doing in the morning, he is so fuddled after the night, and he may be cheated to any amount.

3976. Do you recollect any particular case in which a farmer complained of being defrauded?—Yes; there was another customer of mine who sold a load of corn in a certain house in this town, and I recollect that he had to come to me. "Well," said I, "I would have done better for you, but you ought to go back and claim a certain number of stones." And he did go back, and he got what he claimed. There were many cases of this kind in Clonmel.

3977. Were there many such cases latterly?—Very few these few years back.

3978. Are you then in favour of a public market?—Yes; I think it would be a great and decided improvement.

3979. Have you brokers here?—No.

3980. It would be better for the farmer to get rid of the broker, and do his own business?—Far better, in my opinion.

3981. Would you do away with beamage?—I would do away with it altogether, and I would weigh standing beam, and with one pound.

3982. Would you abolish all deductions?—I would.

3983. Would you be in favour of an assimilation of weights and measures all over the country?—I would.

William Ryan examined.

377. William Ryan.

3984. Would you be for selling by the stone, having one general assimilation of weights all over Ireland?—Yes; I think that in changing from the sale by the stone, to that of the barrel, the farmer would be injured; because if I send a man to market to sell my oats by the barrel, he may put money into his pocket. It came under my own observation that a man refused to take a $\frac{1}{4}d.$ a stone more, but will take the allowance. I have often seen a farmer robbed in that way.

3985. Would you be in favour of a general market?—Indeed I would.

3986. And abolish all deductions?—Yes, I would.

Mr. *Thomas Dorney* examined.

378. Mr. Thos. Dorney.

3987. Where do you live?—In Clonmel; and am secretary to the mayor and clerk to the magistrates for the last ten years.

3988. Are you acquainted with the state of the pig-market in this town?—I am, and with the almost innumerable frauds that have, from time to time, come before the magistrates, nearly all of which, relative to the corn trade, have arisen out of this system of weighing in private. In some cases that the parties have not given correct weights, although the defendants were some of the most respectable men in Clonmel, and who would no more be guilty of such an act than they would be guilty of any other crime. In other cases where, after the corn had been started, a certain class of merchants would say that the parcel would not be as good as the sample; and then a man would come down off the loft with a sample in his hand, and will maintain that the parcel is not as good as the sample; but in numerous cases, I must say, that the farmers were in the wrong, and that the parcels delivered were not as good as the samples.

3989. Have you ever known that done to lower the price at first agreed upon?—In some few houses in the town, but not in respectable ones, it has been done. There are other corn merchants in the town against whom a complaint has not been lodged during the ten years that I am in office.

3990. And all this originates from weighing in private?—Yes, decidedly, in my opinion.

3991. With respect to the pig-market?—In the pig-market and potato-market the frauds practised cannot be equalled, I am positive, in the whole of Ireland.

3992. Where is the pig-market held?—In the public street, at the lower end of the town.

3993. There is no enclosed market?—No.

3994. Have you any tolls?—No.

3995. Is the pig-market under any superintendence?—None, except that the mayor sends men there to keep the pigs from rooting up the ground; it is most injurious to the streets.

3996. What are the principal frauds you complain of?—The frauds are, as I have already said, innumerable, but the principal ones are evasions of the custom of dealing in this town. According to the custom of the market here a buyer is allowed 5*s.* per hundred-weight off a bad measly pig, and 2*s.* 6*d.* per hundred-weight off one slightly touched; but it has come under my notice, as well as under that of the authorities, that the pig-buyers will cut the price 12*s.* 6*d.* off a pig when, perhaps, the animal may turn out, when examined, to have no measles at all. I recollect one case which occurred three weeks ago, where an attempt was made to take 15*s.* off the price of a pig which had been bought for 30*s.*; but on

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complaint being made to the mayor, he sent one of his men to examine the animal, when it was found that it was not measly at all.

3997. How do they know the weight of a pig?—Those who are in the habit of pig-buying know the weight of a pig to within seven pounds. The present mayor has to go down to the yards every pig fair-day, in order to settle disputes, and have justice done between the parties, otherwise the people would be robbed.

378. Mr. Thos. Dorney.

3998. Is there a market for dead pigs here?—No.

3999. There are no deductions except for measles?—No; but the buyers will allege that the pigs are measly whether they are or not; and to such an extent have the frauds in the pig-market been carried on, that the magistrates have found it almost an impossibility to put a stop to it. The pig-buyers have entered into a subscription to take proceedings against the present mayor for interfering with them, and for not allowing them, in every case, whether right or wrong, to have their "cut."

4000. How do they sell the pigs here?—The pig-buyer comes up and asks the price of the pig; the seller tells him, and then if they agree, the buyer puts a cut or mark on the pig, and sends him into a yard, for which he charges 3*d.*

4001. Is it an open yard?—No. These yards belong to publicans. The buyers desire the sellers to send the pigs into these yards, and they are charged 3*d.* on each pig as "yard-money."

4002. Is that what is called "luck-money"?—No; it is a distinct charge; it is a different thing altogether.

4003. Any thing else?—Yes; there are numbers of people who go by the name of "blockers," who attend the markets, and who, being judges of pigs, buy them in this way. All the money they have is perhaps a penny, and they give that as earnest; they then have their purchase driven into one of these yards, where, if they can, they effect sales with the regular pig-jobbers, but if they cannot, the farmer has his pigs to drive home again; he loses his market, and there is no remedy against these persons except by "distress;" but to enforce distress, in order to levy fines, would be useless, as these blockers, as they are called, are not worth a farthing.

4004. Are there any abuses in the potato-market?—The frauds in the potato-market are, if possible, greater than in the pig-maket.

4005. Where is the potato-market held?—It is held in the upper part of the town, in New-street; it is private property, and belongs to Mr. Tinsley.

4006. What way are the tolls regulated there?—He charges the farmer 1*d.* a bag for weighing.

4007. Is it compulsory on the farmer to bring his potatoes there?—It is not; they can be, and are sold, about town.

4008. When they are brought into the market, do they pay whether they are weighed or not?—Yes. It is 1*d.* a bag whether small or large.

4009. What is the system of weighing—do they weigh standing beam or down weight?—Down weight. Seven pounds is the smallest weight they use, and they require the sack to go to the ground; if it was standing beam, it would be thrown out.

4010. Then the farmer loses seven pounds if he does not trim his sack at home?—Yes.

4011. Is there any allowance or deduction?—Yes; there is one stone for every barrel; for bag and beamage they weigh down weight, and they weigh with no smaller weight than seven pounds. If the bag contains twenty-one stone, you deduct one stone, and pay for twenty stone; if twenty-one stone seven pounds, the buyer pays for twenty stone only; if twenty stone, he only pays for nineteen stone.

4012. So that the farmer may lose on every barrel of twenty stone, twenty-one pounds?—He may. And then again the man who does not buy a sack is defrauded by the mixtures, besides they never pay the farmers fairly.

4013. Forestalling and unfair weighing are the complaints against them?—Yes. But I must say that every imaginable fraud that can be thought of, and frauds that you could not think of at all, are practised in this market.

Alderman *Hackett* re-examined.

Alderman Hackett.

4014. When tolls were collected, how were they taken on corn?—I cannot say; I was not connected with the Corporation at that period.

4015. What was the charge on corn?—I cannot say; but this I know that there were most extraordinary frauds committed under that system. It would take a little volume to tell you all the anecdotes of frauds of the kind to which I allude. There was a gentleman here of the name of Ronayne, who opposed the tolls, and Mr. Suther and myself joined him in his opposition to them, and we used to go amongst the collectors who were always armed with great bludgeons, but they would not like to strike any of us: they used, however, to strike the country people. These collectors used to charge for a little pig, and it was this kind of work that made the thing be abolished.

Mr. *Thomas Chaytor* examined.

379. Mr. Thos. Chaytor.

4016. Do you live in Clonmel?—Yes.

4017. What situation do you hold?—That of inspector and weighmaster of the Clonmel butter-market—clerk of the market.

4018. You were appointed by the Corporation?—Yes, by the old Corporation.

4019. Who does the market belong to?—I cannot tell who it belongs to. I received the appointment from the old Corporation, and I pay the ground-rent of it.

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Mr. Thos. Chaytor.

4020. Is it compulsory on the people to enter that market for the sale of butter?—No, it is not.

4021. But butter goes in there to be inspected?—Yes, and weighed.

4022. What is the charge on every firkin of butter that goes in there?—Three pence.

4023. That is levied according to the old Act of Parliament in force before Sir Henry Parnell's Act?—Yes, that is repealed if the people wish to repeal it.

4024. How do you dispose of that 3*d.*?—Two pence for the weighmaster's fees, and 1*d.* for the inspector. The 2*d.* goes for weighing and cooperage, and 1*d.* to the inspector, that is what the Act of Parliament says is the charge.

4025. You get all these fees, and you pay the expenses, and bear the Corporation harmless?—Yes.

4026. The Corporation never called on you to account for the receipts?—Never.

4027. What is the rent you pay for the market?—At first it was £50 a year, but through the kindness of Mr. Bagwell it has been reduced to £30.

4028. The Corporation is chargeable with that rent?—Yes; but I never came in contact with the present Corporation with regard to the butter-market.

4029. What is your staff?—I have got an inspector and two weighmasters, persons who put the weights into the scales and weigh the firkins. I may call myself the weighmaster, as I am constantly at work. I stand in the office, and make out the tickets. The inspectors also, who are sworn as well as I, make out tickets occasionally; and their declarations, as well as mine, have been lodged with the Clerk of the Peace, according to Act of Parliament.

4030. Do you keep a porter?—No, I do not.

4031. That, then, is the whole of your staff?—Yes.

4032. One inspector and two weighmasters?—Yes.

4033. If butter came into the market and was not sold, would it pay?—It would pay 1*d.*, for inspection, to the inspector. It is a fixed salary.

4034. Does his inspection give much satisfaction?—Yes; I got him through the kindness of the Waterford merchants; and he was so clever while with them, that they said they would give anything to get him back again.

4035. Do you weigh standing beam or down weight?—Down weight, certainly.

4036. The firkin must be what I call fair weight, strong cast?—Not strong. I would like the weight between standing beam and down weight, but not too strong a cast. I weigh by the pound, with deductions.

4037. Any beamage?—There is no beamage in Clonmel but at the merchants' stores, and there, I understand, there is a beamage of two pounds taken. The butter is first weighed, and then tared; and if the scales bear a half a pound, there is a deduction made for half a pound. If the firkin weighs fourteen and a-half pounds, that is fifteen pounds.

4038. Suppose it was only fourteen and a-quarter pounds?—Then that would be only fourteen pounds. We weigh down with one pound, and deduct fifteen pounds for the firkin.

4039. Must the farmer weigh his own firkin?—No; it must be fifteen pounds.

4040. You have no beamage, but you understand the merchant gets two pounds?—Yes; I make up the tickets. I put the seller's name in the ticket, and the number and weight; for instance, No. 300 — 3 – 0 – 15, and then state the quality, 1 or 2; 300 in the buyer's book, weight, three quarters and fifteen pounds, then we knock off the fifteen pounds.

4041. Then he would be paid two quarters and eleven pounds in the merchant's store?—Yes. Formerly there was no such thing, but it is so settled under the present system. He was paid to the very pound; if his firkin weighed 112 pounds he was paid for it.

4042. Have you ever known the weight to be cut?—Not after it was weighed.

4043. It does not go out of your store with any mark upon it but your chalks?—Nothing more.

4044. Then the merchant does not take your quality?—No.

4045. Then he could put "first quality" on your third quality?—He could.

4046. Did you ever hear complaints?—No; Clonmel butter ranges very high in the London market.

4047. Do not small dealers buy up small firkins before they go to the weigh-house?—Yes; I have heard of complaints in that particular. There are persons who buy a few small firkins in order to turn a few shillings.

4048. Do the farmers lose anything but the two pounds and the 3*d.*; is there any charge made beyond these?—Nothing; all he loses is the 3*d.*, and the two pounds of butter.

4049. Then the farmer is paid according to your qualification?—When the butter is qualified the merchant looks over them, and goes to the farmer and says, I will give you so much all round, or I will give you so much for firsts and thirds, with cuts, all round; but that is a matter of private arrangement.

4050. Could you tell me how much butter was sold in your market during the last three years?—I have not the means of telling you that about me at present, but I can let you have it.

4051. Was it 50,000 firkins?—Indeed I think it was.

4052. Do you know whether the brand put on the firkins has been altered?—The merchant does not ship according to my qualification.

4053. Do you know, or did you ever hear, of the quality changing before it left the merchant's hands?—No, I did not.

4054. Would it not be better to have an instrument with which to mark the quality on the firkin?—The merchant would not like us to do that.

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379.
Mr. Thos. Chaytor.

4055. Because they could not change it—is it not so?—It may be.

4056. Would you not like a store in which butter could be kept before it would be shipped, as in Limerick, under the new bill, where butter is to be shipped under the inspector's brand; the farmer would be protected, the merchant would not be allowed to take it out of the bonding warehouse without the brand, and he would not be allowed to use the inspector's brand?—The Limerick butter is inferior to that of Clonmel, which is infinitely before it. I recollect, years ago, shipping large quantities of butter, beautifully branded, E. Pim, Carlow, but it never belonged to E. Pim.

4057. What is your opinion of the lumping system?—It is very injurious both to the buyer and seller. The best system is the scale.

4058. Is there much adulterated butter coming in here?—Not any; when we catch them we deal very severely with them. In the course of two years we only caught three firkins.

Mr. *Thomas Cantwell* examined.

380.
Mr. Thos. Cantwell.

4059. Where do you live, Mr. Cantwell?—In Clonmel.

4060. Were you ever in the corn trade?—Yes; I was for many years connected with it.

4061. Could you say what quantity of corn was sold in Clonmel during the last three years?—At present I could not; but some two years since the merchants were talking of getting up a public market, and I went through the merchants to ascertain the quantities bought in by them, in order that I might bring the matter before the council of the Corporation; and I, at that time, ascertained the quantity as nearly, I think, as possible. For the year 1846, I found the quantities to be—

Wheat,	240,000	barrels.
Oats,	313,000	„
Barley,	38,000	„
Total,	591,000	„

But I must certainly say, from my knowledge of the trade, that there is not now that quantity of wheat brought into the market since the establishment of the Great Southern and Western Railway, which runs so close to Thurles, Templemore, and other towns in the county, has reduced it.

4062. A very little toll on that quantity would produce a very large income?—£3,262 a year would be produced on the smallest calculation I have made.

4063. How much larger is the quantity of oats than wheat?—The quantity of oats is certainly larger than wheat and barley put together.

4064. What per centage of these quantities you have mentioned would you take to make them correspond with the present state of affairs?—I would take one-third off wheat; I would not take any thing off oats, and nothing off barley; but I would be safe in taking the one-third off wheat.

4065. Suppose you said that your present sales would be 500,000 barrels of wheat, oats, and barley, would you consider yourself within or over the mark?—I really think that would be a fair average of the sales within the year.

Youghal, December 3, 1852.

YOUGHAL,
3rd *December*, 1852.

Thomas Johns, esq., J.P., examined.

381.
Thos. Johns, esq. J P.

4066. Can you give any information as to the patent or authority under which the markets and fairs in this town are held?—The Corporation were the proprietors of the fairs and markets held in this town, and claimed, I believe, under a charter. Toll was formerly levied by them, but was abolished many years ago, in consequence of the opposition that was made to the payment of them at the time of the general toll agitation. The old market-days were Wednesday and Saturday, but now there is no particular day, as sales take place every day. There are two old fairs, on the 20th May and 18th October, and a monthly fair on the first Thursday in every month.

4067. Where are the markets and fairs held?—Both the fairs and markets are held in the public streets. There is no accommodation of any sort; no market-house or market-place. The Town Commissioners keep thirteen scales in the street for weighing potatoes, and appoint four women to each scale, who make a small charge for weighing. This is the only market accommodation in the town.

4068. Where is the corn sold?—The farmer brings in his corn, and there are a number of sky farmers who meet him at the entrance of the town, take a sample from him, and go to the several merchants' stores, and effect a sale for him—they are, in fact, brokers, and are paid 1*d.* per barrel for their trouble—the corn is then weighed at the merchant's store.

4069. Could you make a calculation of the quantity of corn sold during the year?—I could not exactly tell you; but I should say the quantity was at one time between 200,000 and 300,000 barrels; but in consequence of Lismore, Tallow, and Cappoquin having become places of export, and the change in the times, it has now decreased to about 70,000 barrels.

4070. How much butter is sold in the town?—I should suppose from 10,000 to 12,000 firkins in the year.

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381. Thos. Johns, esq. J.P.

4071. Is it sold by weight, or in the lump?—It is sold both by the pound and in the lump. There are parties here who go into the street, and get hold of a firkin of butter, and judge of the weight by the hand, and give the farmer a certain price for it; in that way an immensity of fraud goes on.

4072. But in the first instance it is bought from the farmers in the lump?—Not all; for some of them will not sell it in that way; they know that it is subject to fraud. For instance, one of the butter jobbers will take the butter in his hand, and offer so much for it; he brings it to the merchant, and if he does not find the quantity in it, he throws it up, and the farmer has no redress. There was a case of that kind recently before me, and I believe I adjudicated summarily upon it.

4073. What kind is the butter-market here?—It is under no system or arrangement whatever. We had a butter-market here under the old Act.

4074. Which was repealed by Sir Henry Parnell's Act?—Yes.

4075. Did the weighmaster receive any compensation?—I think he did.

4076. You have already stated to me that the corn sold in the town is weighed and sold at the private stores—don't you think such a system very objectionable?—I do.

4077. Have you ever heard of frauds practised by such a system?—I have; calling out weights quite different from what the corn was.

4078. In weighing corn, what is the lowest weight used?—Four pounds.

4079. Is it weighed standing beam or down weight?—There is just a turn of the beam given.

4080. If it does not come to the four pounds weight, is it called four pounds less?—It is.

4081. The farmer, then, may lose any thing short of four pounds?—He may.

4082. What deductions do they make?—Four pounds on barley and oats, and seven pounds on wheat. There are fourteen stone of oats to the barrel, and sixteen of barley, and twenty of wheat.

4083. In addition to that, is there the actual tare of the sack?—They generally tare the sack.

4084. Do they pay for odd pounds?—They do.

4085. Now, does not the system of weighing in private offer great facilities for fraud, if parties choose to practise it?—Well, if parties wish to practise it, it certainly does.

4086. Would you be in favour of a general market, where all agricultural produce coming within the limits of the market should be both weighed and sold?—I would; I have been an advocate for it these thirteen or fourteen years past.

4087. Would it not be an advantage both to the buyer and seller, and a great protection to the honest merchant and farmer?—Most undoubtedly it would.

4088. Would you be in favour of an assimilation of weights and measures over the whole country, selling everywhere by the stone of fourteen pounds, abolish the custom of weighing by barrels, and have just a sufficient toll levied in the market to keep it up respectably?—If the toll were not more than that, I would be in favour of it.

4089. Would not it be a good plan in such a market to have all corn weighed standing beam, with one-pound weights, weigh to the pound, and abolish all deductions?—I think one pound weights would be hardly sufficient; I think three pounds would be very fair. The farmers sometimes bring in their bags tied with what they call *sugawns*, and when the bags are emptied, the weight is found to be less.

4090. Under the present system of the market, would it be possible to obtain any statistics of the amount sold in the year?—Perfectly impossible.

4091. Would it not be a great advantage to obtain returns of the quantity sold in the year, and the price?—It would be very desirable. In the returns made by the constabulary, I think they take all possible care, but they can have no dependence upon the people telling them the truth. There is a county inspector of weights and measures employed by the Grand Jury, but we never see him.

4092. Does he receive a salary?—He does. His duty is to go about frequently, and inspect the weights and measures, and adjust them; but latterly it has been thrown upon the constabulary.

4093. Now, with regard to fairs, do you not think it would be much better to have a proper enclosed fair-green, and to hold all fairs there, levying a small toll?—I think the inhabitants of the town could not object to see the fairs taken out of the streets, at least upon any reasonable grounds whatsoever.

4094. Then you would be in favour of a general market, an assimilation of weights and measures, a small toll paid on all articles to keep up the market, and a sworn weighmaster?—I would.

4095. You would be in favour of an enclosed fair-green, and a small toll paid on entering?—I would.

Mr. *John Jenkins* examined.

382. Mr. John Jenkins.

4096. What is your occupation?—I am Town Clerk, continued under the Act 3 and 4 Victoria. I was Town Clerk to the Corporation.

4097. Under what patent is the market held in this town?—The market was originally established, by the earliest paper I can find, under Henry V.; I do not recollect what year of the reign. There was a charter and a schedule of tolls appended to it; I think the document is in the town chest.

4098. Do you know of any other patent?—I have discovered subsequent charters. There is a charter of Edward V., which is very comprehensive. I think the last charter

is that of James I., which recites all the previous ones; it is an authority for holding a market on Wednesday and Saturday, and two fairs, which are now held upon October 18, and May 20.

4099. Where were those fairs held?—They were held outside the town, at a place called the Quarry.

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Mr. John Jenkins.

4100. Were there tolls levied there?—Tolls were levied by the Corporation, but they were abandoned, or rather were left in abeyance, I think, about ten years ago, because so much litigation had occurred in the town that the Town Commissioners, who succeeded the Corporation, were deterred from undertaking them. The Town Commissioners never levied any tolls.

4101. Is there any toll paid at present?—No toll that I know of, except anchorage.

4102. Are there any public markets here?—None, except the potato-market. There is one meat-market, but it is not exactly a public one; the public meat-market has been done away with. There is a fish-market belonging to the Town Commissioners, who rent it from the Duke of Devonshire, at a nominal rent of a shilling a-year.

4103. Are there are any tolls levied there?—No, there are not. The late Corporation abolished tolls upon fish altogether, even when they were levying other tolls.

4104. Do the Commissioners receive any revenue now from the markets?—None whatever, as far as I am aware.

Mr. *William Marks* examined.

383.
Mr. William Marks.

4105. Where do you reside?—I live in Youghal, and have been intimately connected with corn buying for thirty years. I buy all sorts of grain; I buy and weigh at my private stores.

4106. What is the mode of weighing used?—There are two systems of weighing used by the trade generally; one is by boat, and the corn is weighed in a box by even draught. The corn from the farmers comes in sacks, and each sack is weighed in the scales at the weigh-house, or in the private stores.

4107. Do you weigh standing beam or down weight?—We never take down weight, only just give a turn of the beam. In wet weather, such as the present, the weighmaster would not be quite so particular as he would in dry weather.

4108. What is the smallest weight you use?—Four pounds.

4109. It must be the four pounds, or nothing?—It must; but we have a system of give and take; if we get good weight in one bag, the other is weighed very nicely, indeed.

4110. If a man has one sack, he may lose any thing short of four pounds?—He may lose it certainly.

4111. What deductions do you make?—We make seven pounds deduction upon wheat, and four pounds on barley.

4112. Do you tare the empty sack, and deduct the actual weight?—We do.

4113. Is there any charge made for weighing or porterage at the private stores?—None.

4114. Do you pay for odd pounds?—We always do.

4115. Are there any other deductions?—There are not; but there are persons employed called "sky farmers," who get 1*d.* a barrel for purchasing. We take that into our calculation when settling the price; we take all charges into calculation, and regulate the price accordingly, otherwise we should be carrying on a losing trade.

4116. Would you be in favour of a general open market?—If there were an open market, which I hope will be established, the farmers would meet the buyers, and there would be more general competition, and I think it would be decidedly the interest of the merchant, as well as of the farmer. Under the present system some of the farmers are customers of merchants, and go to their stores direct, and the result is that these farmers very often get the best price for the worst corn, because they are customers. Now an open market would place the merchant in a better position.

4117. The sky farmers here are the same as the brokers in Cork, I suppose?—They are much the same, but generally not so respectable a class. They despise truth altogether, and humbug both merchants and farmers, I believe. They are a very unpleasant sort of people; and I am afraid, even with an established market, we would not know how to get quit of them altogether; under the present system, they are a necessary evil. I should like to make a suggestion with respect to the market. If we have a public market established, there ought to be a proper officer to adjudicate between the merchants and the farmers, when the corn is not equal to sample. If a miller comes into the market, and buys fifty barrels of wheat, as very good, and which afterwards turns, when examined, to be nothing like the sample, he should not be compelled to take the inferior article, except at such a reduction in price as the officer would think a reasonable allowance. At present, where there is fraud, the penalties are too heavy, and the process too tedious of going before the magistrates. If we had such an officer, he might discharge some other duties in the office.

4118. Have you ever heard any complaints with regard to the private weighing?—I believe that in Ireland there is not a more fair system than that of Youghal. I have never heard of a single case of fraud in Youghal.

4119. But do you not think it offers facility for fraud?—Well, it certainly does offer some facilities for fraud.

4120. Have you ever heard instances where some buyers could afford to give a higher price than others, and make it up in the weight?—I have heard of such instances; but it must have been where they were of a lower class; in this town, I am happy to say, that the merchants bear a very high character.

YOUGHAL, 3rd December, 1852.

383.

Mr. William Marks.

4121. As a general rule, however, would you not prefer weighing in a public market, under the inspection of a sworn weighmaster?—As a general rule, I certainly would.

4122. Would you be in favour of an assimilation of weights all over the country, and selling by the stone of grain instead of the barrel?—I would be most decidedly in favour of an assimilation of weights, but I have given some consideration to the matter of selling by the stone, and I think it a little questionable. I think it would cause a great deal of calculation in small fractions, which the farmers do not know much about.

4123. Would you be in favour of an uniform system of buying and selling over the whole country?—I think it would be very desirable.

4124. Would you be in favour of abolishing all deductions?—I have some doubt upon that subject. Twenty years ago there was but four pounds off wheat; the seven pounds were taken off in consequence of the farmers delivering their grain very improperly prepared for market, full of sand and gravel.

4125. But does not the very fact of making that deduction encourage the farmer to bring in his corn uncleaned; as the man who brings in clean corn loses the same as he who brings it dirty?—My experience of the last three or four years contradicts that impression. The farmer who brings in his corn clean, can always get 3*d.* or 4*d.* more for it; I paid one man 7*s.* additional price, because the corn was properly screened.

4126. But as a general rule, do you not think it would be better to abolish these deductions, and pay according to quality?—As a general rule, I should have no objection to it.

4127. Could you obtain returns of the quantity of corn sold here in the year?—We could; through the Custom-house.

4128. But that would be the quantity exported?—The home consumption here is very trifling, and we could go within two or three hundred barrels of a correct return.

4129. What is the quantity exported?—In some seasons the merchants have exported from 200,000 to 250,000 barrels of corn in the year. Since the year 1846 they have not exported from this town more than 50,000 barrels in the year. There is a considerable export from the towns on the river, Lismore, Tallow, and Cappoquin, and the falling off principally arose from these towns exporting from themselves, instead of delivering to us.

4130. Have you heard what Mr. Johns has stated in reference to the butter-market?—I have; and I can confirm it fully; I think a public market, and a sworn inspector would be very desirable. The trade was in a very unsatisfactory state of late years, and several persons have declined to enter into it.

4131. What is the quantity sold here?—In former times, some thirty years ago, there might have been 25,000 or 30,000 firkins, but probably, at present, 10,000 would be the extreme in this year.

4132. How is the butter sold?—It is sold both by weight and lump, and inspected by the merchant's cooper, and of course there are many disputes. If the farmer has second quality butter, he will have it that it must be first; perhaps on every firkin of butter there will be half an hour's dispute.

4133. Would not a sworn inspector prevent all this?—He would. The consequence of a public inspection would be, that our butter would rate higher than it does in the English markets; at present our butter rates several shillings under that of Cork. Every buyer here ships upon his own qualification.

4134. Would you be in favour of a public market, such as is intended to be established in Limerick, under the new Act, where all the butter would be weighed and inspected before sale, and a store to which all the butter must be taken, which parties wish to ship under the inspector's qualification, while those who wish to ship upon their own qualification can take their butter home?—I think the system a very good one, where the option is allowed; I think it is calculated to raise the character of the trade. At present, besides the inconvenience, and quarrels, which arise about the qualities, there is a great deal of unpleasantness connected with the casks; some of the coopers endeavour to make themselves popular with the farmers, and give right good sound heavy heads and bottoms, double the thickness they need be, for the purpose of increasing the weight of the cask.

4135. Do they tare the cask?—Not always; they take the brand upon the cask; but it is only in suspicious cases that the butter will be stripped, to ascertain whether the empty firkin weighs more. In some cases it is marked fourteen or fifteen pounds, and it really weighs seventeen pounds; in other cases, to be sure, the tare will be sixteen pounds, and the cask only weigh fourteen pounds; but I do not think the merchant is a gainer upon the whole.

4136. Do you weigh standing beam?—We require a turn of the beam.

4137. What is the lowest weights you use?—One pound.

4138. What deductions are made?—I think a pound upon the quarter, or three pounds a firkin; I do not find that the buyer is a gainer by that. I have heard that the firkins are sometimes steeped in bog-holes to make them heavier.

4139. With regard to fairs, are they not a great annoyance in the streets, and would it not be better to pay a small toll for the purpose of having a proper enclosed fair-green?—I do not know that they are an annoyance in the streets; but still I think a respectable town ought to be able to afford a small toll to establish proper markets. I would not be in favour of a greater toll than would support the market, and have the business done satisfactorily. Such a toll would be generally paid by the merchant; at present he generally pays the toll for passing the bridge, and it is very much the fashion to make a bargain that the toll shall be paid by him.

YOUGHAL, 3rd December, 1852.

Mr. *Thomas Dennehy* examined. 384. Mr. Thos. Dennehy.

4140. What is your occupation?—I hold about two hundred acres of land; I agree with Mr. Marks about the general market; I am in favour of a general market, and abolishing all deductions, as I think it is a great hardship, that when a person sends in his corn clean, the same deduction is made as if he sent it in dirty.

4141. Would you be in favour of a proper enclosed fair green?—It would be better to have such a place; but I fear that it will never be got here.

Mr. *Joseph Fisher*.—I was in the corn trade for some years; and I am now engaged at a mill in the county of Waterford belonging to my father and brother; I would wish to ascertain from the Commissioners, how a public market would affect parties having mills at a small distance from the town—suppose three miles. If the proprietor were interdicted for buying at his own concerns, and obliged to come into the public market, he would be placed at a disadvantage, by having to pay cartage from that out. The farmer will not deliver for the same cost three miles out of town. Now, if the Commissioners allow persons out of the town to weigh at the stores, I do not see why the right should be taken away from persons living in the town, of weighing at their stores. The establishment of these markets would be a tax of 6*d.* an acre upon the arable land of Ireland; it would tax the Irish farmers £35,000 per annum. I do not think the advantage would be commensurate with that. Looking upon the thing as a farmer, I think it would throw a very heavy tax upon the farming class, for which they could not get adequate compensation. 385. Mr. Joseph Fisher.

4142. How do you account for it, that at Limerick, where there is a very important market, they got a Bill to regulate it?—I think it an advantage to the merchant, decidedly.

4143. Do you think it would be no advantage to the farmer to have a regular public market, instead of having to hawk his corn around the town?—Not commensurate with the tax.

4144. Do you think the present system of buying corn satisfactory?—In Youghal it has been conducted upon legitimate and fair principles; and I think it places the farmer in a better position. The evidence has been all along that the change would be better for the merchant.

4145. For the farmer?—No; for the merchant. With regard to the butter-market, it might be very desirable; it would be an advantage to have the barrels the same in every place; but I do not think it a disadvantage to the farmer to have seven pounds taken from him, because he sells the quantity as twenty stone seven pounds.

Mr. *James O'Brien* examined. 386. Mr. James O'Brien.

4146. What is your occupation?—I hold about four hundred and fifty acres of land; I am in favour of a general market, with a small toll, public scales, and a sworn weighmaster.

4147. Would you be in favour of abolishing all deductions?—Most certainly; it is not fair to charge a man who prepares his corn well seven pounds, while another man, who brings it in bad condition will only give as much.

4148. Are you in favour of weighing standing beam with the same weights over the whole country?—I am, decidedly.

4149. Is it your opinion that the farmers would object to the payment of a small toll to support such a market?—I am sure they would not.

Mr. *Abraham Fisher* examined. 387. Mr. Abraham Fisher.

4150. Where do you reside?—I reside at Springfield, half-a-mile from Youghal; I was for many years a miller, and very extensively engaged in the corn trade; I generally concur in the observations of Mr. Marks; there may be some little disadvantage to the farmers, as my son stated, but my opinion, on the whole, is in favour of a public market. I think it would be best for the buyer and the seller, for the honest merchant and farmer.

4151. Would you be in favour of abolishing all deductions, letting the price regulate itself accordingly?—I would.

4152. Would you be in favour of an assimilation of weights and measures all over the country?—I think it would be very desirable to have all the weights and measures assimilated. As to the mills of persons residing out of the town, it never occurred to me until my son mentioned the matter, but I suppose there will be no legislative act which will prevent persons, who have such mills, from buying at their own concerns. It is optional with the farmer whether he will take his corn to the public market; but where there are such mills, it would be a very great hardship to the miller and the farmer, if the farmer could not deliver his corn there. I was very extensively engaged in the butter trade at one time, and there was a public market and an inspector here, and it always appeared to me that when they were done away with by the Act, a very great injury was done to the trade.

4153. Would you be in favour of such an Act as they have in Limerick, by which the butter would be weighed and inspected before sale, by a sworn inspector?—I would.

Mr. *Charles Green* examined. 388. Mr. Charles Green.

4154. What is your occupation?—I am largely engaged in the butter and corn trade; I generally concur in the opinions delivered. I have very little to add to what Mr. Marks has said. I consider the present system very objectionable; I would be in favour of a general market for corn and butter, more particularly for butter. I beg to say, I think Mr. Marks understated the quantity of corn sold in this town; I think it is never under 80,000 barrels in the year.

YOUGHAL,
3rd December, 1852.

Timothy Hurley examined.

389.
Timothy Hurley.

4155. I superintend the potato-market; the potatoes are sold by weight of twenty-three pounds. There are thirteen scales, and four women appointed to each scales, fifty-two women in all.

4156. What are they paid?—A penny a barrel by the farmers.

4157. To whom do the scales belong?—They belong to the Town Commissioners.

4158. Do you pay anything to the Town Commissioners?—I do not.

4159. Do you weigh standing beam or down weight?—Down weight.

4160. If a person were selling a large quantity, would he not lose a fifth or a sixth?—I think he would.

4161. Do you deduct anything for beamage?—I do not; I merely require down weight.

4162. How high are the scales from the ground?—They are about a foot.

4163. Do the Commissioners fix the amount of toll, or do they leave it to you?—They leave it to me. The women at the scales compete among themselves, and I had to put several of them away from the scales.

390.
Mr. John O'Brien.

Mr. *John O'Brien.*—There is a system of plunder and robbery going on at the potato-market, and parties take their potatoes to other places sooner than expose themselves to the robbery; they will take them several miles from Youghal, to avoid the plunder of what are called "dawkers," who seize the potatoes, even in the presence of the farmers, and carry them off. When I was a Commissioner, I brought it under the notice of the Commissioners myself, to have a person appointed to look after it and protect the farmers; and I succeeded in a great measure; but when a person was appointed, it was stated at the Castle, in Dublin, that it was contrary to law and could not be done.

4164. What was contrary to law?—To appoint a person to look after the property of the people.

4165. Would you be in favour of a public market?—I would, decidedly; the shopkeepers of the town are actually ruined, from the name the market of Youghal has got through the country. My business is seriously injured by the bad market in Youghal; the money which ought to be spent here goes elsewhere. It would be very desirable also to have a butter-market established.

391.
Patrick Hurley.

Patrick Hurley.—The tolls charged at fairs throughout the country are 6*d.* a head for every beast; in some cases that is reduced to 2*d.* The fairs are generally held in the streets.

4166. Do the public receive any value for the tolls they pay?—No value whatever.

4167. Would you be in favour of a proper enclosed fair-green and a small toll?—I would, decidedly.

DUNGARVAN,
4th December, 1852.

Dungarvan, December 4, 1852.

Francis E. Currey, esq., Agent to the Duke of Devonshire, examined.

392.
Fras. E. Currey, esq.

4168. Who is the proprietor of the town and markets of Dungarvan?—The Duke of Devonshire is the Lord of the Manor and patentee of the markets.

4169. Under what patent or authority were the markets here held originally?—I am not able, from the short time I had to make sufficient search, to state. There is a copy of the different tolls and customs, granted by patent to the Duke of Devonshire, upon the different ways coming into Dungarvan.

4170. Are there markets held here now?—There is a weekly market on Saturdays.

4171. Are there any tolls levied by the Duke of Devonshire?—No tolls are at present received; they were received by the Seneschal appointed by the Duke, under his authority. They have been abolished since 1830, or the receipt of them was suspended about that time, in this and some of the other towns where tolls are received by the Duke, partly on account of the opposition to the receipt of them, and the expectation entertained that Parliament was about to legislate upon the subject. The Duke then suspended them, without any surrender of them, and they have remained in abeyance since.

4172. Does he exercise the right of appointing a weighmaster?—He does.

4173. Is there an enclosed market?—There is an enclosed corn-market.

4174. Are there public beams and scales?—There are beams and scales used by the weighmaster appointed by the Duke.

4175. Is there a charge made for weighing?—There is one pair of beams and scales in which there is a charge made for every thing weighed, but it is not compulsory.

4176. Is there a butter-market in the town?—There is.

4177. Who is the proprietor?—I apprehend, the Duke of Devonshire is proprietor, as he is the Lord of the Manor, and has any rights which exist with regard to the markets.

4178. Do all parties weigh in that market?—It is a market which parties may make use of, but it is not compulsory.

4179. By whom is the weighmaster appointed?—I am not quite certain whether the late weighmaster was appointed by the Duke, but I have reason to believe he was. The

DUNGARVAN, *4th December*, 1852.

392.

Fras. E. Currey, esq.

present weighmaster, Mr. Boate, was appointed by the magistrates at quarter sessions. He was never appointed by the Duke.

4180. What authority had the magistrates to make such an appointment?—I am not aware.

4181. Does he receive any fees?—He does.

4182. Does he account to you for them?—He does not.

4183. Can you say what emolument is derived from it?—I cannot form any idea.

4184. Are there any fairs here?—There are two yearly fairs under the patent, and they were recently established, by general consent, monthly fairs.

4185. Are tolls levied at these fairs?—There are not.

4186. Where are they held?—In the town, in the market-square.

4187. Were the fees for weighing settled by you?—They were not settled by me, but I made no change in them.

4188. I suppose the suggestions you made yesterday and the day before, as to the necessity for general markets, will apply equally to this town?—They will.

4189. Do you think removing the fairs from the street, and having an enclosed fair-green, would be desirable?—I think it would be very desirable.

Richard Hudson, esq., examined.

393.

Richard Hudson, esq.

4190. Where do you reside?—Within two miles of Dungarvan. I am Seneschal, appointed by the Duke. My duties are now only to look after the markets. Tolls were collected within my recollection, but they were discontinued about 1830, in consequence of opposition.

4191. For what purposes were they applied?—When they were collected they were appropriated, as well as I could understand at the time from my father, to the repairs of the streets, flagging the square, keeping the pumps in order, and any thing else that was necessary for the improvement of the town.

4192. On what days are the markets held here?—They are held upon Wednesdays and Saturdays; but sales of butter, corn, and potatoes, take place every day in the week.

4193. Where is the corn sold?—In the market-square generally, with very few exceptions.

4194. Is it weighed at the stores?—It is generally taken direct to the stores and weighed there, except the corn bought for seed, which is taken to the public weighmaster. That is, comparatively speaking, a small quantity.

4195. Is there an enclosed market-place?—There is no enclosed market-place, or market-house, except the butter-house.

4196. Is it private property, and may it be closed?—Yes; it is private property, and may be closed to-morrow.

4197. Are persons obliged to sell butter or corn there?—No; it is not obligatory. The principal part of the butter sold in the town is sold in that market. There is an inspector.

4198. Have you ever heard complaints about inspection or weighing?—I have.

4199. What is the charge for inspection and weighing?—Three pence a firkin; the same charge as in the old butter Act.

4200. Where are the fairs held?—In the market-square.

4201. Is it large enough to hold all the cattle?—I should say not of itself, but the fairs are held in the street adjoining.

4202. Would you think an enclosed fair-green desirable?—I would not.

4203. Why?—I do not think there is any annoyance created by the fairs being in the present place, and I think it is an advantage to the town having the market take place in the immediate vicinity of the shops.

4204. Would not the advantage be just the same, if it were in the immediate vicinity, within a few hundred yards?—Removing the fairs from the square was spoken of at one time, and I understand there was great dissatisfaction among the people of the neighbourhood, and the townspeople generally.

4205. Was it among parties in the neighbourhood or in the town?—In the town.

4206. Shopkeepers?—Yes.

4207. Whiskey shops?—All sorts of shops.

4208. Parties who wanted things would come into the town just the same after the fair, one would imagine?—Well, they might.

4209. Would you be in favour of a general market, under the superintendence of a sworn weighmaster and an efficient staff, where all agricultural produce should be sold and weighed?—Certainly; I think it would be a fairer system than the present.

4210. Have you heard any complaints about the system of private weighing?—I cannot bring to my recollection that I have. I cannot say that I have heard any complaints, but I would be in favour of a general market, as better for both buyer and seller, to protect the farmer and the merchant.

4211. Would you be in favour of an assimilation of weights and measures over the whole country?—I would.

4212. Do you not think it would be the best plan to have all agricultural produce weighed standing beam, with one pound weights, abolishing all deductions?—I do.

4213. How were tolls collected formerly?—There were two persons appointed as collectors at the west end of the town, who had boards up and collected according to the schedule. Toll was paid upon all articles, sold or unsold.

DUNGARVAN, *4th December*, 1852.

394. Beresford Boate, esq.

Beresford Boate, esq., examined.

4214. Where do you reside?—I reside within one mile of the town. I hold the office of butter inspector and weighmaster of the butter-market, which I received from the magistrates of Dungarvan, at quarter sessions, under the 52nd of George III., c. 134, s. 2.

4215. Was not that Act repealed?—That clause was never repealed, but the other provisions of it were.

4216. What fees do you receive?—Three pence a firkin for weighing and inspecting.

4217. How much butter is sold in the town?—Twenty thousand firkins in the year, or very near that.

4218. Does all the butter sold in the town go into the market?—It does not; I cannot say what proportion, but nothing like that.

4219. Do you keep any books?—I keep a book for every merchant, and all butter coming into the market is numbered accordingly; and when any goes into the stores, I get the numbers and enter them consecutively. I mark the butter first, second, or third, with a scraping iron.

4220. Do you weigh standing beam or down weight?—I do not weigh entirely standing beam, I give a turn.

4221. What is the smallest weight you use?—One pound.

4222. What deduction do you make?—No deduction. I enter the weight in the book and the ticket, leaving the merchant to deduct beamage and tare and tret. I enter the gross weight and the quality, and the tare in my book.

4223. Does the butter rank high?—I think it does. I understand it ranks higher than either Clonmel or Carlow. I wish to bring under your notice the regulations for the branding of butter. There are endless disputes about the tare of the firkins, which are frequently found to weigh more than is branded upon them by the cooper; in fact there is great irregularity, and the merchants, I understand, would be very glad to do away with the present plan. There are two pounds allowed on the firkin. Supposing the firkin weighed thirteen pounds, it is branded by the cooper fifteen pounds, to allow for soakage; fifteen pounds is then deducted from the weight, and in addition two pounds beamage. If the firkin weigh more than fifteen pounds, the actual tare is deducted and two pounds beamage.

4224. Does the merchant always pay the farmer according to your qualification?—I suppose he does.

4225. Have you ever heard any complaints about it?—There have been some complaints.

4226. Is any butter sold by the lump?—There has been a great deal sold by the lump. The only way I can account for that is, that when the price is rising there is a greater anxiety to get it and greater competition. I am paid all the same when it is sold in the market by the lump, although it is not weighed.

4227. How many firkins did you inspect last year?—I do not think I inspected more than 12,000 or 13,000. There is a vast quantity of butter sold outside, for which I never get paid, although the merchant, in every instance, charges the farmer 3*d.* a firkin. I have seen the tickets myself to that effect.

4228. Do you think the system of inspecting and weighing, which is adopted in your market, tends to improve the quality of the butter?—No doubt of it. In fact the quality of Dungarvan butter has very much improved within the year.

4229. Would you be in favour of having the butter inspected and weighed before sale by a sworn inspector?—I would; but I do not know whether the merchant would be satisfied with it. It would do away with the impression, now upon some of the farmers' minds, that I fancied one merchant more than another.

4230. How is corn weighed at the private stores?—A cast of the beam, and four pounds beamage taken out of every barrel of corn. With one exception, all the corn in the town is weighed in a square box, a barrel to each draught; but at Mr. Pursar's stores it is weighed in bags.

4231. What is the smallest weight used?—One pound.

4232. What is a barrel?—Wheat, twenty stone; barley, sixteen stone; oats, fourteen stone.

4233. Is there any charge for weighing or porterage?—None.

4234. Have you heard any complaints of the system of private weighing?—I have heard persons complain occasionally of the system, but I do not know whether the complaints were well grounded or not. A general market, where all parties would be obliged to buy and sell, would, in my opinion, be a much better system.

395. Robert Tutty.

Robert Tutty examined.

4235. What is your occupation?—I am weighmaster of the market, appointed by Mr. Hudson, under the Duke of Devonshire, to weigh corn and potatoes. I charge for wheat at the rate of 1*d.* a barrel; oats, 1*d.* a barrel; barley, 1*d.* a stone; wool, 1*d.* a stone; potatoes, 1*d.* a sack; and carrier's goods, 1*d.* per hundred-weight.

4236. If corn is sold and not weighed, do you make any charge?—I do not; the charge is only for weighing.

4237. How do you weigh?—With one pound weight, requiring a cast of the beam, and deducting four pounds beamage. I deduct four pounds for the sack, provided it cannot be emptied; but if it is emptied and weighs more, I deduct the actual weight; unless it appears unusually heavy, I deduct four pounds.

4238. How do you weigh potatoes?—The same way, deducting four pounds a bag. There are fifteen pounds to the stone.

DUNGARVAN, *4th December*, 1852.

395. Robert Tutty.

4239. What to the stone of wool?—Sixteen pounds.
4240. How do you weigh wool?—With half pounds, standing beam, and eight pounds deduction upon every twenty stone—no beamage.
4241. Do you keep a book?—I do, and I give a ticket with the net and gross weights, and the name, but not the price, and very seldom the date.
4242. Do you keep a copy of every ticket?—I do not, except in the book.
4243. If a person lost his ticket you could give him a copy of it?—I could; all I would have to do is to refer to the book.

396. A. M. Giles, esq.

Arthur Maguire Giles, esq., of Coolnagower, examined.

4244. Can you suggest any thing in addition to what we have already heard?—The fairs and markets are very irregular. I avoid going there because one man used to give out that my pigs were tithe pigs, and I could not sell them except at a great loss.
4245. Would you be in favour of a sworn weighmaster and a general market, where every thing would be sold?—I would.
4246. And a proper enclosed fair-green out of the town?—I should be very much in favour of it. I think a fair held in the street one of the most mischievous things in a town. As a proprietor and landlord, I think an enclosed place, and a small toll on cattle entering, would be a great advantage.
4247. Would you be in favour of an assimilation of weights and measures over the whole country, and selling by the stone?—Decidedly; I believe selling by the stone has had a good effect in other places.
4248. Would you be in favour of weighing standing beam, with one pound weight, and abolishing all deductions?—I would; I never knew any one satisfied with the deductions in any case.
4249. Would you make it compulsory to sell in the public market?—I would; it is a perfect nuisance to have a fair or market in the streets of a town.
4250. Would you be in favour of having the chief officer of the market decide all disputes between buyer and seller, with an appeal to the magistrates?—I am afraid that would be giving him too high a power, unless he were well paid and of a respectable class, and I am afraid such a person could not be got. The people here think very little of an oath.
4251. Would you be in favour of having a butter-market, where all the butter would be inspected by a sworn weighmaster and weighed before sale?—I would.

397. John Wall.

John Wall examined.

4252. What is your occupation?—I am a cattle-dealer and small farmer. I think the markets here are very irregular. There is no one to regulate the differences which often occur between buyer and seller; the magistrates will not interfere. I asked a magistrate myself, and he said he knew nothing about it. Another thing which often occurs is this: suppose I buy a lot of cattle at a fair, and marked them, and if another man comes after for them they are sold to him, and I have no redress. I took proceedings once, but I could not get redress. On the other hand, if I sell my cattle, and the buyer gets cheaper cattle after, he leaves them, and I have no redress.
4253. Do you not think a fair in the streets very objectionable?—I do not; I think the streets are the best place, and it is a great convenience to the inhabitants.

WATERFORD, *6th December*, 1852.

398. Mr. Richard Cooke.

Waterford, December 6, 1852.

Mr. *Richard Cooke* examined.

4254. What is your occupation?—I was the late Town Clerk.
4255. Are you aware of any charter or patent respecting the fairs and markets of Waterford?—There were two charters, as well as I recollect, respecting fairs in this city, and markets, but in what reign they were granted I cannot say.
4256. What are the market-days?—The usual market-days are Wednesday and Saturday.
4257. Are you aware who is the proprietor of the markets?—The Corporation was always the proprietor, and for a considerable time they used to set the tolls.
4258. Then tolls were at one time levied in the town?—Yes, and very considerable tolls.
4259. Were the tolls specified in the charter?—They were not.
4260. There was no schedule attached to it?—I am certain there was not. In 1834, when the Commissioners went round the fairs and markets, tolls had been abolished, and therefore they did not form the subject of inquiry—they were abolished some twenty years before.
4261. Then no tolls has been collected in Waterford since that time?—None, except on fish.
4262. What are the fair-days?—There are three fair-days under the charter: the 4th of May, 24th of June, and 25th of October; there is also a monthly fair upon the first Monday of every month, under no authority; I think the custom sprang up within the last seven years, since I left office
4263. Are they held in the months of the old fairs?—They are.
4264. There are fifteen fairs in the year?—There are.
4265. The Corporation collect no tolls at any of those fairs?—No, they are all free.
4266. Are they held in the streets?—They are held in a large open space upon the public roadway, at Ballybricker.
4267. Have the Corporation no corn market?—None.

WATERFORD, *6th December*, 1852.

398. Mr. Richard Cooke.

4268. Where is the corn sold?—On the roadway coming into the town, or in the square, or the bridge.

4269. Is it weighed at the private stores?—Yes.

4270. Is there a potato-market?—There are three or four.

4271. What market-place has the Corporation?—I cannot say that the Corporation has any of them; they are places appointed for the sale of potatoes.

4272. Then there is not a regular market at all?—No.

4273. Is there any other market besides the butter-market?—There is a fish-market.

4274. Do the Corporation supply weights and scales for the potato-market?—They do.

4275. What is the toll upon fish?—I think it is a halfpenny for salmon, if weighed, and 2*d.* per load of sea fish.

4276. Did the Corporation ever collect the tolls themselves?—No; they were set up to public auction or cant, and knocked down to the highest bidder, who gave security for the purchase money, and collected the tolls, which produced from £300 to £500 a-year to the Corporation.

4277. They have been all abolished now?—They have.

399. Mr. John Power.

Mr. *John Power* examined.

4278. What is your occupation?—I reside in Waterford, and am a corn merchant and miller.

4279. The corn which you buy in Waterford do you purchase and weigh in your own stores?—I weigh at my own stores, but I purchase about the town.

4280. Is there no public corn market?—No.

4281. Do you employ sky farmers or brokers?—All the corn coming into Waterford, with very little exception, is sold by what are called sky farmers or penny brokers.

4282. How are those men paid?—They get 2*d.* a barrel on wheat, and 1½*d.* on oats and barley: twenty, sixteen, and fourteen stone each.

4283. By whom is the charge paid?—By the farmers.

4284. Do these men meet the farmers coming in?—They do; and the farmers will hardly sell without them; they think they know the prices better, and generally have many friends.

4285. Would the merchants buy direct from the farmers?—Certainly, they would.

4286. Do they make any charge at the stores for weighing or porterage?—None.

4287. Do you weigh standing beam or down weight?—We just take a mere turn of the beam.

4288. What is the smallest weight you use?—One pound.

4289. Do you weigh to the pound?—Yes.

4290. What deductions do you make?—Four pounds a barrel upon country weight, and two pounds a barrel on buyer's weight.

4291. What is the difference?—One is considered to be in a drier state, because it has been in the stores.

4292. Is there any other deduction?—Nothing else.

4293. Do you deduct the actual weight of the sack?—Yes.

4294. Would you be in favour of a general market?—Indeed I would.

4295. You think it would be the fairest for both buyer and seller?—Yes; and it would give much more facility to the merchant, for it would give him a market where, in the course of half an hour, he might buy as much as he required; whereas he is now peddling about the whole day.

4296. Would you oblige all the corn coming into Waterford to be sold and weighed there, under the superintendence of a sworn weighmaster?—I think it would be better.

4297. Have you ever known some parties to give a higher price than others, in consequence of having the weighing in their own hands, and being able to make it up?—I do not think that is the case here. I think we have a very fair market; I never heard of any fraud.

4298. I suppose you will allow that the system of weighing at the stores offers great facilities for fraud, if parties choose to be dishonest?—I think it does; and I have heard some of the country people complain, but I can hardly credit them.

4299. Is there any check upon the dishonest merchant?—None, unless the farmer have sufficient intelligence to see that he gets the proper weight.

4300. Would you be in favour of beginning and closing at a certain hour?—Yes; I think the best regulated markets are so conducted.

4301. Would you be in favour of assimilating weights and measures?—I certainly think it one of the most necessary things which could be effected. It is a monstrous thing, that in a mercantile country like this, the difference should remain so long.

4302. Would you sell everywhere by the stone?—It would be a matter of indifference whether by the stone or the barrel, so that there were an uniform system.

4303. The tolls levied at such a market should be nothing more than would support the market and a regular staff?—Nothing more.

4304. Do you think the person in charge of the market would be the proper party to settle disputes between the buyer and seller?—That would depend greatly upon his experience and qualifications.

4305. But you think there should be some person to settle these disputes?—Well, I think the only way would be by private arrangement between two of the trade.

4306. Would you weigh standing beam, with one pound weight, and abolish all deductions, except the actual tare of the sack?—I think it would be the fairest way.

4307. Whether persons bring in their corn clean or dirty, is there not an equal deduction?—No. If we find that it is not equal to sample, or to the top of the bag, there is a further reduction, or else it must be taken back.

4308. But if the corn is brought in in the cleanest possible state you will deduct four pounds?—Yes; but the farmers are aware of it, and it is considered in the price.

4309. But does not that put a fictitious value upon it, and would it not be better to pay exactly for what is there?—Well, it certainly would simplify the thing.

399.
Mr. John Power.

Mr. *George Courtney* examined.

400.
Mr. Geo. Courtney.

4310. What is your occupation?—I am a corn merchant. I am decidedly in favour of a general market for corn.

Mr. *Thomas Elliott* examined.

401.
Mr. Thomas Elliott.

4311. What is your occupation?—I reside at Firville, five miles from town; I am a farmer.

4312. On behalf of the farmers would you be in favour of a general market, such as has been described?—Decidedly.

4313. Would you be in favour of obliging all the corn coming into the town to be weighed and sold there?—Decidedly.

4314. Would the farmers object to pay a small toll to support such a market?—I think not.

4315. Do you think the system of private weighing offers great facilities for fraud?—I think it a most obnoxious system, and complaints have been made in consequence by the farmers.

4316. Do you know of parties who give a higher price than others in consequence of having the weighing in their own hands?—It has been so stated to me.

4317. Would you be in favour of selling by the stone?—I think the barrel would be more convenient to the farmers, as they would be hardly able to calculate so closely.

4318. Do you think it would be essential to have some arbiter in case of disputes between the buyer and seller?—Most certainly.

4319. Would it not be well to have such a market partly under the control of the Corporation, and of persons appointed by the Grand Jury, so as to represent all classes?—I should hope if such a market is established that it will be so.

4320. Would you be in favour of abolishing all deductions?—Most certainly.

4321. Would you be in favour of an enclosed fair-green?—I think it would be very desirable.

4322. You would not allow any proprietor who holds fairs in the public streets to levy tolls for spoiling the Queen's highway, as in some places?—Certainly not.

4323. Then if he were obliged to give proper accommodation, would it not be fair to protect him, and allow him to charge a small toll for cattle entering?—Certainly; but I do not think it would be convenient to charge upon entering, because some of the people coming to the fair have nothing to pay unless they sell.

4324. But how can you tell whether they sell or not, without having recourse to the abominable system of swearing?—Well, that is very true.

4325. Besides, you would then collect from them when they were sober?—That is true. I beg to remark, that I think it would be important to have the day of the monthly fairs changed from Monday to Thursday, because we could then ship at once to Liverpool; all our trade is with Liverpool.

Mr. *Charles Newport* examined.

402.
Mr. Chas. Newport.

4326. What is your occupation?—I am weighmaster, appointed by the Mayor. I am general weighmaster under the 4th of Anne, cap. 14; and butter weighmaster and inspector under the 52nd George III., cap. 134, sec. 3.

4327. Does the butter-market belong to the Corporation?—It does.

4328. Is it optional with the seller to make use of the market or not?—It is.

4329. What is the charge?—Three pence a firkin, according to the old Act.

4330. That includes weighing, qualifying, and giving a ticket?—It does.

4331. What proportion of the butter sold in the town passes through your market?—I should say, nine-tenths.

4332. The butter which does not go to your market is sold and weighed at the stores of the merchants, and inspected by them?—Yes.

4333. Do they make any charge for weighing or inspection?—No, I think not.

4334. Have you a sworn inspector?—I have.

4335. What staff have you?—An office clerk, a weighmaster and taster, one person, a second weighmaster when the other is busily engaged, and two porters.

4336. What quantity of butter passed through your market last year?—I think 47,000 firkins.

4337. Was that an increase as compared with the previous year?—No, it fell short.

4338. Do the Corporation derive any emolument from the butter-market?—No; except the rent—£75 a-year, which I pay for the house.

4339. Do you weigh standing beam or down weight?—A cast of the beam. Some

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402. Mr. Chas. Newport.

merchants were not satisfied, and threatened to leave the market if I did not give a heavier weight than I think fair.

4340. What deduction is made upon the gross weight?—Nothing but the tare of the firkin; but the merchant gets two pounds beamage from the farmer.

4341. Is all the butter coming into Waterford sold by the weight or by the lump?—A great deal is sold by the lump, at the private stores, and I think it is a very injurious system.

4342. Are you paid all the same?—Just the same, once it comes within the market.

4343. Was there ever another butter-market established?—There was.

4344. What became of it?—I brought an action against the party, and succeeded.

4345. Are there many frauds practised in the butter-stores?—People constantly complain to me about not receiving full weight at the private stores, and of parties promising them so much a hundred-weight, and then only giving them 2*s.* or 3*s.* less.

4346. Do you think the business should always be settled in the butter-market?—I think it should.

4347. Are there any cases of fraud upon the part of the farmers in making up the butter?—I have seen some, and a great many complain of them, but I have not seen many. When the butter is bought by lump, they sometimes pack the firkin very loosely, and if the merchant is not a very good judge, he is easily deceived, and the butter will not keep.

4348. When you inspect the butter do you mark it?—Yes.

4349. You do not brand it?—No.

4350. Then the merchant who buys takes it to his own stores and ships upon his own qualification?—Yes.

4351. You do not ship upon the market qualification, as they do in Cork and other places?—No.

4352. Would you be in favour of doing away with the lump system altogether?—Certainly. The lump system and the "blocking" system ought to be done away with; the "blockers" sometimes buy at one end of the market, and roll the butter to the other end and sell it. I have often very unpleasant cases, where, if they cannot sell it, they will throw it back on the farmer, and there is no redress.

4353. How does the Waterford butter rank?—I believe it ranks very well.

4354. Does it rank equal to Carlow?—No.

4355. What do you charge upon articles which you weigh as general weighmaster, under the 4th of Anne, do you charge the rates mentioned in the Statute?—No; there was an arrangement made by my predecessor to charge 4*d.* a load on the weigh-bridge, whatever the load might be.

4356. What do you weigh?—Hay, potatoes, pigs, wool, and hides; in the small scales I charge ½*d.* a hundred-weight.

4357. If there were three hundred-weight in the scales would you charge 1½*d.*?—Yes. I don't think you are allowed by the Act to charge more than 1*d.* for every draught.

403. John Fanning.

John Fanning examined.

4358. What is your occupation?—I am butter-taster and weighmaster appointed by Mr. Newport; I inspect all the butter coming into the market, and a ticket is given at the office, where the gross weight, the tare, and the quality are entered.

4359. Have you ever heard of frauds practised in private weighing?—Frequently.

4360. What is the nature of those frauds?—They complain of getting short weight, and having over tares put upon them.

4361. What are the deductions by the merchant?—Two pounds upon every firkin.

4362. That is upon firkins weighed in your market—have you heard of other deductions made in private weighing?—Often three pounds or four pounds are taken off; the weight is short also, and there is over tare charged.

4363. Could you give an instance?—I bought two firkins and weighed them in the butter-market, and sent them by another person to a certain store, and they were weighed there; the whole of the transaction did not take more than twenty minutes. They were weighed there, and a ticket given to the farmer, and brought down to me, and the money; and it fell short of what I weighed it originally, I think, nine pounds, which made a difference of 10*s.* 5*d.* which I lost upon the transaction by unfair weighing.

4364. It was just as if the farmer were going to the store without ever going to the market, and the difference was between public and private weighing?—Yes.

4365. And are you of opinion that such frauds are of daily occurrence in private weighing?—I am.

404. Mr. Geo. Courtney.

Mr. *George Courtney* examined.

4366. What is your occupation?—I am a butter buyer; I buy in the public market.

4367. Do you consider that it is well carried on?—I do not, in several respects; I think there ought to be a competent inspector, and I don't think the present inspector is a man of experience.

4368. Are you in favour of a general market, where all butter should be weighed, inspected, and sold?—I am; I think it a great evil that butter should be weighed at private stores, as at present.

4369. Is there much butter bought in town by the lump?—I understand there is.

4370. Do you consider that an objectionable system?—It is a very great evil, and a great inducement to farmers to pack their butter dishonestly.

4371 Would you be in favour of a market under the superintendence of a sworn and properly qualified inspector, where tares should be arranged, disputes settled, and all the business transacted?—I would.

404. Mr. Geo. Courtney.

4372. Would you make it compulsory to sell and buy there, and allow no transactions at the private stores?—Decidedly.

4373. Have you heard of any frauds practised by weighing at the stores?—I have heard a great deal of talk about it.

4374. You think the public scales are the best test?—Decidedly.

4375. If all articles were weighed before being sold, it would check any insinuation of favour on the part of the weighmaster?—It would.

Mr. *John Edward Fane* examined.

405. Mr. John E. Fane.

4376. Are you in favour of a general market?—I am in favour of a general market, provided it be properly conducted, and I think such a system the fairest for the buyer and seller. I think it very desirable that the corn market should be the same as in Cork, which would place all buyers and sellers on the same footing.

Thomas Keily examined.

406. Thomas Keily.

4377. What is your occupation?—I am in the butter trade.

4378. Are you in favour of a general market, and obliging all butter to be inspected and weighed before sale?—I am.

4379. It would do away with all suspicion that the weighmaster was not acting fairly?—It would.

4380. You are not in favour of weighing in private?—No, indeed.

4381. In fact, you think a general market such as has been described, would be the fairest for both farmer and merchant?—Yes, I do.

4382. You think the system of weighing in private offers great facilities for fraud?—Certainly, if the merchant chooses to be dishonest.

4383. Do you concur in what Mr. Courtney has said?—I do, except that I have no fault to find with the butter inspector.

4384. Do you ship upon his qualification?—We change the qualities at the stores.

Mr. *John Blake* examined.

407. Mr. John Blake.

4385. What is your occupation?—I am the inspector of weights and measures.

4386. Have you detected many frauds?—I have not, with the class of people in the butter trade, only with the very lowest order.

4387. You think the weights are generally fair?—Indeed, I do.

4388. Do you inspect the beams as well as the weights?—I do.

4389. Do you go on a particular day, or an unexpected time?—Generally twice a year.

4390. Do all the people in the town know that you are coming?—No, they do not.

408. Mr. Hugh Nevins. Referred to in the Report, p. 23, as Q. 4226.

Mr. *Hugh Nevins.*—I think a public corn market is almost indispensable here; I consider the present system decidedly objectionable, and I think the same objections apply to the butter trade.

4391. You think a public market and public scales the fairest test?—I do.

4392. As a buyer you would not object to a public market?—As a buyer I would go most frequently into the market, when I cannot go there now.

4393. In a public market all parties would be on an equality?—They would.

4394. You think the buyers would not object to a public market?—I do not think any one should.

409. Mr. Thos. Clarke.

Mr. *Thomas Clarke.*—I wish to remark to you that there is a great want of proper accommodation for the smaller traders, who sell fruit, vegetables, and various articles of the kind in the streets. These poor people are exposed to all the vicissitudes of the weather, and suffer very much in consequence of the deficiency of market accommodation.

4395. Are you in favour of a general market?—I am in favour of a market for general purposes, to save the small trader, who is now exposed to all the inclemencies of the weather.

Mr. *Peter Carrol* examined.

410. Mr. Peter Carroll.

4396. What is your occupation?—I sell bacon. All the live pigs are sold in the market; I have to complain that people come there to buy pigs who have no money to pay for them; and there ought to be an officer to compel those people to go away, and let persons buy as they liked. I often gave these people money to go away.

4397. When you buy live pigs, what deductions do you make?—Six pounds for every pig.

4398. What is that for?—For soakage.

4399. Is that a regular custom?—It is.

4400. Would it not be the fairest plan to pay for what is there, and regulate the price accordingly?—I do not think it would make the least difference. In England they cut off the feet, but we weigh the whole.

WATERFORD, 6th December, 1852.

410. Mr. Peter Carroll.

4401. What do you cut off pigs for being measly?—Three shillings and sixpence a hundred-weight.

4402. Did you ever know a person buy pigs and say that they were measly to get them cut down?—I have heard of it.

4403. Would you be in favour of a public officer in every pig-market to settle those disputes?—Yes; and let the farmers pay for it.

411. Mr. Daniel Osborne.

Mr. *Daniel Osborne*, Silverspring.—I concur in what Mr. Courtney has stated. Persons come into the market who have not a penny in their pockets, and prevent the regular merchants from making a bargain, and try and beat down the farmers as much as they can, and no other man will go in between them; and perhaps, after all, the poor farmer will be obliged to drive his pigs home at loss and inconvenience.

4404. Would you be in favour of abolishing all deductions?—Yes, I am; I have been always against them; but the merchants say they get a higher price. I thinkit would be a great deal better to fix a price, and pay for every pound.

4405. Would you be in favour of abolishing allowances on corn?—I would.

4406. I suppose you would be in favour of a general market, and oblige all transactions to take place there, and have every thing weighed in the public scales?—I would. I beg to say, that I think Thursday would be a more convenient day than Monday, as our farmers might ship at once for Liverpool.

4407. Would that interfere with any other town?—It would, with Kilkenny; but they are going to change the day. Liverpool is our market, and Dublin theirs.

412. Mr. S. H. Jones.

Mr. *S. H. Jones* examined.

4408. Are you in favour of a general market?—I would be in favour of a general market, abolishing all deductions, and compelling every thing to be weighed there.

4409. Are you in favour of an assimilation of weights and measures all over the country?—I am.

413. Mr. Cornelius Ryan.

Mr. *Cornelius Ryan* examined.

4410. What is your occupation?—High-Constable, appointed by the Mayor and the Corporation. My duty is to inspect the markets. There are three potato markets.

4411. Are there beams and scales in them?—There are; but two of them are markets where potatoes are sold in small quantities. The principal market is on the quay.

4412. Do the Corporation provide the beams and scales?—They do.

4413. Who weighs the potatoes?—There is a constable in the principal market employed by the Corporation.

4414. How is he paid?—A salary of £30 a year.

4415. Is there any charge for weighing?—None.

4416. What is the barrel of potatoes?—Twenty stone. They are sold by the weight, in sacks, fourteen pounds to the stone.

4417. Do you weigh standing beam or down weight?—Down weight.

4418. Touching the ground?—Yes.

4419. How many pounds will bring the scale from standing beam to down weight?—I think one pound or two pounds would turn the scales; but if there be a heavy sack it might take three pounds or four pounds.

4420. Do you weigh to the pound?—No.

4421. What is your smallest weight?—Seven pounds.

4422. Then if there be seven pounds standing beam, the farmer may lose it?—He may.

4423. What are the deductions?—When a bag weighs twenty stone, a stone and a-half is taken off as beamage.

4424. Suppose it were under twenty stone?—One stone then.

4425. Is any further deduction made on potatoes?—Not unless they are very bad.

4426. Are there many forestallers?—There are; there are persons who come up in the steamers with potatoes, and they will give those people the preference, even at a cheaper rate, to get them off their hands quick.

414. Mr. T. M. Galway.

Mr. *Thomas Michael Galway* examined.

4427. Are you in favour of a general market?—I am in favour of a general public market. I am sure hundreds of the poor traders perish from cold and wet in those inclement seasons of the year.

4428. What would you recommend?—Proper enclosed markets.

4429. Will you make the people pay for them?—If the public authorities only took an active part the thing would be easily accomplished.

4430. How?—By a grant from Government.

415. Cornelius Ryan.

Cornelius Ryan examined.

4431. What is your occupation?—I look after the fish market.

4432. What tolls do the Corporation receive?—They receive 1*d.* for salmon.

4433. Is that for weighing?—It is.

4434. Are there no tolls independent of weighing?—There are; all other fish pay 2*d.* a load.

4435. For what?—For the use of the table.

4436. When fish is sold in the street do they pay?—They pay wherever they are sold.

WATERFORD,
6th December, 1852.

415.
Cornelius Ryan.

4437. Then you have changed the charge for the table into a regular toll?—Yes.
4438. Do you charge it every day?—Yes.
4439. You have no right to levy toll every day. What do you charge for weighing salmon?—A halfpenny for any up to nine pounds weight.
4440. Why do you charge for other fish and not for salmon?—Salmon are not sold in the street, they are sold in the houses.
4441. Is the accommodation you give sufficient?—There is a very good fish-house.

416.
Mr. James Kent.

Mr. *James Kent.*—The fish-house is at a most inconvenient distance for selling coarse fish; they would sell to much greater advantage upon the quay.

417.
Mr. Jacob Penrose.

Mr. *Jacob Penrose.*—The best place for a fish-house would be upon the river, where there would be an abundant supply of water, and it would be a great advantage to the public at large; a fish-house in any other place would be very inconvenient; I consider that the present fish-house is in a very inconvenient locality.
4442. Do you think that if the fish-house were erected in a convenient spot the trade would improve?—I believe if it were in the neighbourhood of the quay it would be decidedly the best part of Waterford.
4443. Would it improve the trade?—I think it would.

CARRICK-ON-SUIR, DECEMBER 7, 1852.

CARRICK-ON-SUIR,
7th December, 1852.

418.
Mr. John Wogan.

Mr. *John Wogan* examined.

4444. Where do you reside?—In this town.
4445. Are you Seneschal?—I was Seneschal, but I have not held a court these twenty years back.
4446. By whom were you appointed?—By the Marquess of Ormonde.
4447. Are you still Seneschal?—I am still, but there is nothing to do; I had a great deal of trouble and got nothing, and, therefore, I relinquished the duties.
4448. Under what patent or authority are the markets established?—The Waterford family held the tolls and customs of Carrick under a patent from Charles II., I cannot say what year.
4449. Are there tolls paid?—Formerly every thing that came to Carrick paid toll—eggs, butter, fowl, and every thing else; but, about twenty-five or thirty years ago, the inhabitants remonstrated against it, and they have not been demanded since.
4450. Then Lord Waterford is the patentee of the fairs and markets, with a right to levy toll, which has not been levied?—Not for the last twenty-five or thirty years; there was a monthly fair got up of late.
4451. Was there any patent for it?—No.
4452. On what days are the markets held?—On Tuesdays and Saturdays.
4453. What were the fair-days?—There were three old fairs—in August, May, and October.
4454. When were the monthly fairs established?—I think about twenty or twenty-five years ago.
4455. Are they held once in every month?—They are.
4456. Then there are fifteen fairs held in the year?—There are.
4457. How were they established?—By general consent.
4458. Was it by the Town Commissioners?—They were not in existence then.
4459. Had you never a Corporation?—No; this was a Manor Court.
4460. Are the markets held now upon Tuesdays and Saturdays?—They are considered market days.
4461. But agricultural produce is sold every day in the week?—Every day in the week.
4462. Are there tolls levied now in the town at markets or fairs?—No; Lord Waterford relinquished them altogether, when he saw they were against the wish of the people.
4463. Are there enclosed market-places?—No.
4464. Is there a market-house?—No.
4465. Where is corn sold?—At the merchants' stores and in the streets.
4466. Are potatoes sold in the streets?—They are.
4467. Is there no potato-market?—No; they are generally sold at the weigh-scales.
4468. Are there public beams and scales?—There are.
4469. Is there a weighmaster?—Yes.
4470. Appointed by Lord Waterford?—Yes; he is appointed by Lord Waterford's appointee.
4471. Is there also a butter scales?—Yes.
4472. Who appoints the butter-master?—The magistrates.
4473. Under the 52nd George III., I suppose?—I suppose so.
4474. Is there a fair-green?—There is.
4475. Is it enclosed?—No.
4476. Are tolls levied there?—No.
4477. Is it sufficiently large to hold all the cattle?—Fully sufficient.
4478. Is the proprietor Lord Waterford?—No, Lord Bessborough has the fee of it; it was formerly in the Waterford family, but Lord Bessborough has it now.

ARRICK-ON-SUIR, *7th December*, 1852.

19.

Mr. Thos. O'Neill.

Mr. *Thomas O'Neill* examined.

4479. Where do you reside?—In Carrick.

4480. Do you belong to the corn trade?—I do.

4481. Do you buy the corn at your own stores or in the streets?—In either; the samples come to the office.

4482. The corn is weighed at the stores?—It is.

4483. Do you weigh standing beam or down weight?—Standing beam.

4484. What is the smallest weight you use?—One pound.

4485. Do you weigh to the pound?—Yes.

4486. Do you pay for odd pounds?—Yes.

4487. What deduction do you make?—Four pounds on the gross weight of every barrel.

4488. That is four pounds on twenty, sixteen, and fourteen stone of wheat, oats, and barley?—Exactly.

4489. Do you deduct it both from the weight of the sack and the corn?—Yes.

4490. Do you deduct the actual weight of the empty sack?—Yes, we do.

4491. What quantity of corn is sold in the year?—I think about 150,000 barrels; there was a great deal more.

4492. How many parties are there buying corn?—There are twenty-five or thirty.

4493. When the farmers bring the corn here have they to hawk it round the stores to sell it?—Yes, if they do not meet a buyer.

4494. Do you employ factors or sky-farmers?—There are some, but we do not encourage them in the market.

4495. Who pays them?—Some time ago the merchants paid them, but the merchants held a meeting here some two or three years ago, and came to a resolution to stop it from the farmers.

4496. I suppose it comes out of the farmers' pockets in the end?—Well, I do not think it does.

4497. Do you think the system of weighing in private is objectionable?—I would prefer having a public market, and I think it would be a benefit both to the merchant and the farmer.

4498. Would you be in favour of a general market, where all agricultural produce should be sold and weighed, with a proper staff, and under the inspection of a sworn weighmaster?—I would.

4499. Would you be in favour of an assimilation of weights and measures, and a uniform system of buying and selling everywhere?—Exactly.

4500. Would it not be the fairest system to weigh standing beam, to weigh to the pound, and abolish all deductions?—I would have no objection, if it were a general system.

4501. Would you be in favour of weighing by the stone of fourteen pounds, and abolishing the weighing by barrel?—I think the barrel much pleasanter, because we are more accustomed to it.

4502. Would you be in favour of a reasonable toll, just sufficient to support such a market respectably?—Yes; I think a penny a barrel ought to support such a market very well.

4503. Have you ever heard of any frauds practised at the private stores in the weighing?—There are such reports, but they have never come to my knowledge exactly.

4504. But you admit that it offers great facilities, if parties choose to be dishonest?—Of course.

4505. There is no check upon the dishonest trader?—No check in the world; a man can weigh standing beam and rob the farmer after.

4506. What quantity do you buy in the year?—Perhaps 10,000, 15,000, or 20,000 barrels.

4507. What is the principal produce of the country?—Oats.

4508. Is there much butter?—I should say about 20,000 firkins; there was double or even treble some ten years ago.

4509. Is it sold by weight or by lump?—Both ways.

4510. Are there many butter merchants?—Only three.

4511. Is there a market for butter?—There is.

4512. Is it compulsory to use it?—It is not. I beg to remark that one great evil arises here from the timber not being properly seasoned before the firkins are made: the tree is sometimes cut down to-day, and made into firkins to-morrow; there is no brand, and we must strip the butter when it comes into us.

4513. Do you buy in the public market?—Yes.

4514. Is there an inspector?—There is.

4515. What does he charge?—Three-pence a barrel.

4516. After it is sold do you take it away?—After it is sold he weighs it, and then we take it away, and strip the firkins at the stores.

4517. What does he put in the ticket?—He puts the gross weight and the tare, and then the ticket comes to our office and we take off two pounds tret.

4518. That is independent of the weight of the firkin?—It is.

4519. Is there any other deduction?—No.

4520. If you think the firkin is tared rightly, I suppose you do not go to the trouble of stripping?—There are very few which have not to be stripped.

4521. Suppose it were marked at fifteen pounds, and that when stripped it only tared thirteen pounds, would you still deduct fifteen pounds weight?—I would.

4522. Then, in fact, you get the benefit of all that is under?—I do, but I think it is no benefit, for it hardly ever occurs.

4523. The farmers have to pay all over fifteen pounds weight?—They have.

4524. Are the firkins, generally speaking, over fifteen pounds weight?—They are—seventeen, nineteen, twenty, and twenty-one pounds weight.

4525. And very few under fifteen?—Very few, hardly any.

4526. Do you always buy upon the qualification of the inspector?—Yes.

4527. When you buy at the stores, do you buy on your own qualification?—I never buy at my stores.

4528. When merchants buy at the stores do they charge the 3*d.*?—I believe not.

4529. Would you be in favour of obliging all butter to be sold, inspected, and weighed at the public market?—I would; I do not think the trade will be carried out properly otherwise. I do not like buying by the firkin at all, because the farmers will not pack the butter properly.

4530. That is buying by the lump?—Yes.

4531. You object to buying by the lump?—Yes.

4532. Would you be in favour of inspecting and weighing all butter previous to being sold, to prevent all suspicion of the weighmaster?—I would.

4533. Would you oblige the merchant to ship upon the inspector's qualification, or leave it free?—I think the best system would be, that it should be upon the mark of the taster.

4534. You would have the firkins all branded by the sworn inspector of the weigh-market?—Yes.

4535. Would you be in favour of having the market begin at a certain hour?—I would.

419. Mr. Thos. O'Neill.

Mr. *Daniel Halliday* examined.

420. Mr. Daniel Halliday.

4536. What is your occupation?—I am weighmaster at the public butter-market.

4537. By whom appointed?—By the Grand Jury, and sworn before the Assistant-Barrister.

4538. Have you a sufficiently large market?—I am sorry to say that it is too large for our present business.

4539. What proportion is sold in the public market?—About 20,000 firkins a-year.

4540. What at the private stores?—I suppose about 2,000 firkins.

4541. You are paid 3*d.* for every firkin?—Yes.

4542. It is optional to use the market or not?—It is.

4543. Would it not be the best plan to weigh before selling?—I believe it makes no great matter.

4544. Does your inspection generally give satisfaction?—Indeed I am told it does.

4545. What expense have you to pay?—The rent of the house, and 6*s.* a-week to a man who acts as an assistant weighmaster.

4546. How do you mark the quality of the butter?—With a timber scraper.

4547. You do not mark it with chalk?—Oh, no, it would not do.

4548. And after it is sold they take it to the stores?—Yes.

4549. A merchant may do as he likes when he gets to the stores?—He may.

4550. Do you give a ticket?—Yes.

4551. What do you state in it?—The weight and quality, the date, the name of the seller and buyer, and I deduct the weight of the firkin.

4552. How do you know the weight?—About fifteen pounds is the general weight; but the merchant weighs it afterwards and deducts any overweight.

4553. You do not deduct tret?—No.

4554. Would it not be better to have all the transactions done in the market?—It would.

4555. If the statistics of the market were required by Government could you furnish them?—No.

4556. I suppose you would be in favour of a general market, and obliging every thing to be weighed and inspected there?—Indeed one would naturally suppose I would.

4557. Have you ever heard any complaints from the farmers about being treated unfairly in private weighing?—No, I cannot say I did.

Mr. *Nicholas Kenny* examined.

421. Mr. Nicholas Kenny.

4558. Where do you reside?—In this town.

4559. In what business are you engaged?—In the oat trade.

4560. Are oats weighed the same as corn?—Just the same.

4561. Would you be in favour of a general market where every thing should be sold and weighed?—I would.

4562. Would you be in favour of an assimilation of weights and measures, and a uniform system of dealing?—Most certainly.

Mr. *John Grubb* examined.

422. Mr. John Grubb.

4563. Where do you reside?—At Carrick-on-Suir.

4564. Are you in the corn trade?—I am.

4565. Do you agree in the suggestions which Mr. O'Neill has made?—I do, most fully.

CARRICK-ON-SUIR, 7th December, 1852.

Mr. *Owen Canall* examined.

423. Mr. Owen Canall.

4566. Are you in the butter trade?—I am. I beg to say that Mr. Halliday very often makes mistakes from the want of light, or persons smoking in the market; and some of the butter comes to my stores, and because Mr. Halliday has marked it, the seller will not allow it to be cut, although they see the fault.

James H. Mandeville, esq., examined.

424. J. H. Mandeville, esq.

4567. Where do you reside?—Three miles from this.

4568. Are you a farmer?—I am.

4569. What quantity of land do you hold?—I hold over 200 acres here; between 300 and 400 altogether.

4570. Would you be in favour of a general market?—Certainly, I would.

4571. You would not, as a seller, object to pay a small toll to support such a market respectably?—By no means.

4572. Would it not be a great advantage to the farmer to have competition, instead of hawking his corn about the town?—Yes; I think there would be no hole and corner working; every one would know what he was about.

4573. You would not have to employ sky-farmers?—No.

4574. Would you be in favour of an assimilation of weights and measures over the whole country?—I would.

4575. Would you weigh standing beam, and abolish all deductions?—Most certainly.

4576. Would you be in favour of obliging all agricultural produce to be sold and weighed at the market, under the superintendence of a sworn weighmaster?—Decidedly.

4577. You would only have a sufficient toll levied to support such a market respectably?—Nothing more.

4578. Would you be in favour of an enclosed fair-green?—Yes.

4579. Would you be for having the toll paid on going in?—Certainly; to avoid the the deception in getting out the cattle, and the mock oath, which is a most abominable system. I beg to say, that I should object to all tolls in a place such as this, where we have good accommodation. I also have to complain of the evil of persons going to the markets and buying cattle, who have no money. I recollect I sold some cows to a man who I thought had money; but after marking them he left them on my hands, and I had to sell them for £2 less. I tried it before the Magistrates, but I could not punish him; and I had to get out a decree before the Assistant Barrister. The Magistrates cannot decide where the value of the beast is over £5.

4580. You think the value of the sum in dispute ought to be the thing?—I do.

4581. And you think these disputes ought to be settled at once?—I do.

425. Mr. James Kennedy.

4582 *Mr. James Kennedy.*—I beg to state that some years ago the Marquess of Waterford was called upon for his patent, and he was not able to produce it.

4583. Were there any trials about it?—There were several trials. I beg to say, that there is nothing so objectionable to the farmers here as tolls.

Samuel Jones, esq., examined.

426. Samuel Jones, esq.

4584. Do you reside here?—I do.

4585. Are you in favour of a general market?—I am.

4586. Would you oblige all agricultural produce to be sold and weighed there?—Certainly.

4587. And having the firkins regularly branded?—Yes.

4588. Would you be in favour of an assimilation of weights and measures, and abolishing all deductions, but the actual tare of the empty sack?—Certainly; all others are the result of fraud one side or the other.

4589. You think it would be desirable in such a market to be able to furnish proper statistical returns?—Yes.

4590. With regard to fairs, would you be in favour of obliging the proprietors of fairs held in the streets to provide proper accommodation, and allow them to levy a small toll to cover the expense?—Yes; for we have the instance of the great improvement at Callan, where it was carried out. I would be also in favour of having all fairs held in the towns removed to a proper enclosed fair-green.

Mr. *Edmund O'Halloran* examined.

427. Mr. E. O'Halloran.

4591. Where do you reside?—At Carrick-on-Suir.

4592. What are you?—A bacon merchant.

4593. Do you buy alive?—I do.

4594. Do you buy by the weight?—Both ways.

4595. How do you weigh?—Standing beam, and six pounds off each pig.

4596. Do many frauds take place?—Not many that fall under my observation.

4597. Have you got the "blockers"?—We have a little in that way.

4598. How do you examine pigs?—I do not cut for the measles now at all.

4599. But when you buy from the jobber do you cut?—I cut generally 5*s.* or 6*s.* a hundred-weight.

4600. Are there any persons who buy pigs in the morning, and then in the evening throw them up, and say they are measly?—I heard of them, but I have not seen many. I beg to add, that I think it would be a very extraordinary thing if the people here were to pay tolls at fairs, when they have very good accommodation already.

CARRICK-ON-SUIR, 7th December, 1852.

Michael Quirk examined. 428. Michael Quirk.

4601. To whom does the potato market belong?—The potato market belongs to the Marquess of Waterford. There are two beams and scales there.
4602. Who is the weighmaster?—Edward Cunningham.
4603. By whom is he appointed?—By Mr. Moore, patentee of the Marquess of Waterford.
4604. What does he receive?—Six shillings a-week.
4605. What does he charge for weighing potatoes?—One penny upon every bag.
4606. To whom does that go?—To Mr. Moore.
4607. Then Mr. Moore is the weighmaster, and he appoints a man under him?—Yes.
4608. Does he weigh standing beam or down weight?—A cast of the beam.
4609. What is the smallest weight?—I think four pounds.
4610. If there were four pounds standing beam, would he throw it out?—He would.
4611. What deductions does he make from the gross weight?—A stone upon every bag over fifteen stone, and one-half stone down to seven.
4612. That includes the weight of the sack?—Yes.
4613. Does he ever deduct more?—Never. If the bag weighed thirty stone he would only deduct that; for the last few years he has been a loser by it. I wish to add that the people here would generally object to any thing like tolls.

Henry Briscoe, esq., examined. 429. Mr. Henry Briscoe.

4614. Are you a magistrate?—I am.
4615. Have many cases of fraud, in weighing, come before you?—No, very few.
4616. Are you in favour of a general market?—I am.
4617. Do you know how bread is sold here?—By the lump.
4618. Not by weight?—No.
4619. Would it not be better to have the bread sold by weight?—Most certainly.
4620. And let the prices vary according to the price of flour?—Yes; for instance, if it falls to-day the two-penny or penny loaf is made only half the size.

Mr. *John H. Lynch* examined. 430. Mr. John H. Lynch.

4621. You are chairman of the Town Commissioners?—I am.
4622. Do you generally concur in the suggestion in favour a general market?—I do, most fully.

NEW ROSS, DECEMBER 8, 1852.

NEW ROSS, 8th December, 1852.

Mr. *Samuel Keogh* examined 431. Mr. Samuel Keogh.

4623. Where do you reside?—At New Ross.
4624. You are one of the Town Commissioners?—I am.
4625. You were the former chairman?—I was.
4626. Under what patent or authority were the markets established in this town?—I believe they were handed over to us by patent, and I see by the council book that we exercised control over them.
4627. Do you know under what patent?—I always heard the patent of James I. referred to. The Corporation leased the tolls out to different individuals.
4628. What are the market-days?—Wednesday and Saturday.
4629. How many fairs?—One every month. There were three old fairs, and whenever one of these comes in a month, the other does not take place.
4630. Who are the proprietors of the fairs and markets?—I never heard that any one exercised any control over them, save the Corporation.
4631. Then the Corporation were the proprietors, and the Town Commissioners, as their successors, are the present proprietors?—Yes.
4632. Are they the proprietors of the new fairs?—Most assuredly.
4633. Are there tolls paid in the market?—No.
4634. There were formerly?—There were.
4635. Have you ever heard why they were abandoned?—I believe it was in consequence of an action taken by Archdeacon Barker against the Corporation.
4636. There are no tolls now paid at either fairs or markets?—No.
4637. Have you a public corn-market?—No; there is no public market, except a shambles.
4638. Have you a butter-market?—It is only within the last year butter has come into the town, and there is no butter-market.
4639. Then you have no public market?—Not except the shambles and fish-market.
4640. And you charge no toll?—Not except a small charge for fish exhibited for sale there, and the butchers rent their stalls from the proprietor.
4641. That is private property?—Yes; but the Corporation receive rent from it.
4642. In fact, then, there is no public market, for that may be closed to-morrow?—No. They are bound to keep it there open.
4643. Where are your fairs held?—In the Irishtown, in a large open space.
4644. It is not enclosed?—No.
4645. Where is the corn sold?—In the outskirts of the town, generally.
4646. In fact about the streets?—Altogether.
4647. Where is it weighed?—At the stores.

NEW ROSS, 8th December, 1852.

431. Mr. Samuel Keogh.

4648. Have you any public beams and scales?—No, except a weigh-bridge.

4649. Are potatoes sold and weighed in the streets?—They are. There are men who furnish weights and scales, and receive something for weighing.

4650. Private property in fact?—Yes.

4651. Is butter sold about the town?—It is sold in the streets, and weighed at the stores.

4652. There is no public inspection or market?—No.

4653. Would you be in favour of a general market, in which all agricultural produce coming into the town should be sold and weighed?—Most assuredly. We have, in every instance, attempted to obtain it.

4654. Is butter sold here by weight or by lump?—A great part by the lump, in consequence of there being no inspector.

4655. Is it not a very bad system?—As bad as could be.

4656. You would oblige every thing to be sold and weighed in the general market?—Most assuredly.

4657. You would only have a sufficient toll to support such a market respectably?—Nothing more than that; no profit whatever.

4658. Would you be in favour of assimilating weights and measures?—Most assuredly; and reducing to as definite a standard as possible.

4659. Would it not be more satisfactory to weigh by the stone?—I think so.

4660. Would you be in favour of weighing agricultural products with one pound weights, standing beam, and abolishing all deductions?—I think it very fair. With respect to that, there may be a great deal said against it, because the seller might commit many frauds which it would be impossible for the public to guard against.

4661. But there should be a heavy penalty for fraud, both of buyer and seller?—Well, that would be very fair.

4662. Would you be in favour of having proper enclosed fair-greens instead of the public streets?—Well, it would be attended with considerable expense.

4663. But do you not think that to pay a small toll upon entering a proper fair-green for a good standing, would be a satisfactory arrangement?—Well, I think it would.

4664. As a general rule, is not the street a bad place to hold a fair?—It cannot be called a street where it is held now.

4665. But as a general rule?—As a general rule it is not the place. I wish to remark that we have not even the power of having a market-jury here; and the very refuse of the fish-house from Waterford is often brought up and vended here.

432. Mr. Michael Sutton.

Mr. *Michael Sutton* examined.

4666. Are you in the corn trade?—I am.

4667. Do you buy all sorts of corn?—Yes.

4668. Do you buy the corn in the streets?—Yes; the samples come to the stores.

4669. Do you employ sky-farmers?—Yes; we employ people at 1*d.* a barrel.

4670. I suppose it is necessary under the present system?—It is.

4671. Do you approve of that system?—No; I would much rather have a general market.

4672. Is all the corn weighed at your own stores?—It is.

4673. Do you make any charges for weighing or porterage?—No.

4674. Do you weigh standing beam or down weight?—Standing beam, a mere turn.

4675. What is your smallest weight?—Four pounds.

4676. Do you weigh barrels with four pounds?—We have a barrel in which we put the corn to weigh, containing twenty stone, and five pounds for beamage.

4677. Then you weigh as nice as possible and deduct beamage?—Yes.

4678. What beamage?—Five pounds upon wheat, four pounds upon oats or barley.

4679. No other deductions?—No, except in cases where the corn is very dirty, then we deduct weight instead of price.

4680. I suppose these deductions are on twenty stone of wheat, and sixteen and fourteen stone of oats and barley?—Yes.

4681. Have you ever heard any complaints about weighing in private?—Yes, I have.

4682. Do you not think the system objectionable, and that it allows parties to practise fraud if they are dishonest?—I do.

4683. Would you be in favour of a general market, and obliging all produce to be sold there, and weighed before?—I would.

4684. Have you ever known persons to outbid you and make it up in weighing?—Well, I have never experienced it.

4685. Would you be in favour of an assimilation of weights and measures?—I think it would be the most convenient way.

4686. Would it not be a better plan to abolish all deductions, and regulate your price accordingly, and oblige the farmer to sell by the sample?—I don't think they would like to have the price cut. I think they would rather have a small deduction taken off.

4687. But suppose I send in my corn as clean as it could be, and another sends it in slovenly, does not each lose five pounds?—If it be dirty, there is an additional cut.

4688. Would it not be more simple to buy according to quality, and regulate prices accordingly?—If there were a market and a proper controlling power to prevent frauds, for dirt might be put in after the corn had left the public market.

4689. But there should be a heavy penalty?—In that case, I think it would be a good plan.

4690. You would only have such a toll as would support the market respectably?—Just so.

NEW ROSS, 8th December, 1852.

4691. How much corn would you say, at a rough estimate, was sold here in the year?—Probably about 120,000 barrels.

4692. A great advantage of a public market would be that you would get the proper statistics of the country?—Yes.

432. Mr. Michael Sutton.

4693. Do you pay for odd pounds in weighing sacks of corn?—No.

4694. Do you deduct the beamage from the corn and the sacks?—No; it is after the tare.

4695. If a sack weighed twenty stone eight pounds, would you call it twenty stone eight pounds?—Yes; we call it by the pound.

4696. Then in weighing sacks you use a pound weight?—Yes.

Mr. *Nicholas Coghlan* examined. 433. Mr. Nich. Coghlan.

4697. What is your occupation?—I do business for Mr. Devereux as a buyer of corn.

4698. Do you weigh standing beam or down weight?—A mere turn of the beam.

4699. Do you weigh to the pound?—In weighing, we make nothing less than half-a-stone, the sellers can take out any thing over.

4700. You allow them to trim the sacks?—Yes.

4701. Do you weigh in sacks or in a box?—In a box.

4702. Then you weigh as nice as possible, and deduct five pounds for wheat, and four pounds for barley and oats?—Yes.

4703. Do you make any charge for weighing or porterage?—No.

4704. Is that the usual custom of the town and the system of weighing generally followed?—Well, I believe in most other places they weigh in sacks.

4705. Have you ever heard complaints of the system of weighing in private stores?—Very seldom, indeed.

4706. Did parties ever come to you to check the weight they had received at other stores?—No; I would not do it if they did.

4707. Would you prefer buying and weighing in a public market?—I would prefer buying in a regular market, and I am quite sure Mr. Devereux would prefer it.

4708. In the other stores, where they weigh with sacks, do they weigh to the pound?—I always understood that they did.

Robert Tottenham, esq., examined, 434. R. Tottenham, esq.

4709. Are you chairman of the Town Commissioners?—I am.

4710. Would you think it more desirable to remove the fairs to an enclosed fair-green?—No. I think, upon the whole, there is sufficient accommodation here, and no public detriment.

4711. Would you be in favour of a general market?—I would; for then there would be fair competition, and everybody could see what they were doing.

4712. Would you abolish all deductions but the actual weight, and assimilate the weights all over the country, buying everywhere by the stone?—I would. Whatever the system, it should be uniform, whether by the stone or by the measure.

4713. As a general rule, do you think it would be better to remove the fairs out of the public thoroughfares, to a proper enclosed fair-green, and charge a trifle upon entering?—Certainly; but not in this particular instance. I do not think we labour under any difficulty, because the place is at some distance, and is not much frequented.

4714. Would it not be very satisfactory to find out the statistics of the country from something besides guess-work, which you would be able to do in such a market?—Certainly. I think the returns made by the police are very incorrect.

Mr. *Robert Rogers* examined. 435. Mr. Robert Rogers.

4715. I believe you are the Town Clerk?—I am.

4716. Are you aware under what patent the new fairs are held?—I think they were established by the people, who thought them necessary for their own purposes.

4717. You never heard upon what authority?—I never did.

4718. Do you remember the levying of tolls by the Corporation?—I do.

4719. Was there a schedule of the tolls given?—There was a schedule posted at the time.

4720. The Corporation leased the tolls?—They did.

4721. Of both markets and fairs?—They were all set together.

Samuel Keogh examined. 436. Samuel Keogh.

4722. What is your occupation?—I attend the potato market.

4723. You are not paid by any one?—Never.

4724. And never account to any one?—Never.

4725. Were you ever sworn?—Never.

4726. What do you charge?—Only 1*d.* on every sack which comes up to eleven stone, under that $\frac{1}{2}d.$, and over eleven stone, up to twenty-one or twenty-two stone I charge $1\frac{1}{2}d.$

4727. Do you ever charge more than $1\frac{1}{2}d.$?—No; I never hardly get $1\frac{1}{2}d.$

4728. People are not obliged to go to you if they do not like?—Not at all.

4729. Are there any other people who weigh?—There are.

4730. Do you weigh standing beam or down weight?—Down weight.

4731. What is the smallest weight you use?—Seven pounds.

NEW ROSS, 8th December, 1852.

436. Samuel Keogh.

4732. Then if there were six pounds standing beam the farmer would lose it?—He would, certainly.

4733. What does it take to bring it from standing beam to down weight, with a heavy draught?—It would turn with a pound, or perhaps with four ounces.

4734. What deduction do you make for beamage?—If the sack come up to fourteen stone, and from that to twenty-one or twenty-two stone, only one stone for bag and beamage.

4735. What, if it is over that?—I very seldom weigh over that.

4736. Is that for the weight of the bag?—The weight of the bag and the fraud of the potatoes.

4737. But, suppose there were no fraud, would you deduct it still?—The stone goes at any rate.

4738. Are there any other deductions?—No.

4739. Do you calculate at fourteen pounds to the stone?—Yes.

4740. Do you give a ticket?—Sometimes, when gentlemen's servants come in, but generally no one requires it.

4741. How else do you mark it?—With chalk upon the bag.

4742. What is to prevent it from being washed out?—It may be washed out.

4743. Do you keep a book?—No.

4744. Then you cannot tell what quantity is weighed in the year?—No, nor in one week.

4745. You have nothing to do with the Town Commissioners?—Nothing at all.

4746. What is your occupation worth?—Indeed it is not worth paying a man to attend it.

4747. Is it worth £50 a-year?—It is not, nor £20 a-year.

4748. What is the barrel of potatoes here?—Twenty-one stone.

437. Patrick M'Gee.

Patrick M'Gee examined.

4749. What are you?—Collector of harbour rates for the Harbour Commissioners.

4750. What quantity of butter do you think has been sold here this year?—I suppose there are about sixty to one hundred firkins sold every Tuesday, market-day.

4751. What is the charge for weighing roll butter?—For each roll, up to fourteen pounds ½*d.*, and beyond fourteen pounds 1*d.*

4752. What for weighing the firkin butter?—1*d.* a firkin.

4753. How long is the butter-market established?—Only this year. It was established by common consent of the public, because there was a great deal of fraud practised upon the country people getting their butter weighed at different shops by the purchasers; and as there was a weigh-bridge below it was thought proper to establish a little market, and give greater facility and security to the people; and a beam and scales was consequently erected alongside of the weigh-bridge for that purpose.

438. Patrick Molowney.

Patrick Molowney examined.

4754. What is your occupation?—I am a weighmaster.

4755. By whom are you appointed?—By the Town Commissioners.

4756. How are you paid?—A yearly salary.

4757. Do you account to the Corporation for your receipts?—I do.

4758. Have you got a weigh-bridge and scales?—I have.

4759. What are your charges?—4*d.* for a load of hay, 4*d.* for straw, 3*d.* a bale of goods, salmon 1*d.*, sea-fish 2*d.* a basket, for the use of the table and the fish-house.

4760. Rent, in fact?—Yes.

4761. What else?—Butter 1*d.* a firkin, 1*d.* a crock, and a roll under fourteen pounds ½*d.*, turnips 3*d.* a load.

4762. Do you give a ticket?—Yes.

4763. Is it printed?—The ticket for the weigh-bridge is printed, not the others.

4764. Do you always take the tare of the cart out of the gross weight?—Yes.

4765. What were the receipts last year?—£27 1*s.* 10*d.*

4766. In weighing a firkin of butter, do you weigh standing beam or down weight?—Down weight—but it is mostly bought by hand.

4767. Do you weigh to the pound?—Yes, and take off two pounds tret and the actual weight of the empty firkin.

4768. In weighing hay, what is the smallest weight?—Quarter of a hundred-weight.

439. Mr. James Pounds.

Mr. *James Pounds* examined.

4769. What are you?—I am a Town Commissioner.

4770. Is there a large fowl market here?—Yes; on an average about £300 worth of fowl is bought at every market.

4771. Are they sold in the streets?—Yes.

4772. Is there a large egg market?—Very large. There are six women purchase eggs to send away, and they send great large hampers, with perhaps seven gross of eggs in each hamper, to England.

4773. Would you be in favour of a general market, such as has been described?—I would, decidedly.

NEW ROSS,
8th December, 1852.

Mr. *John Rice* examined. 440. Mr. John Rice.

4774. Do you buy fowl?—I do.

4775. Do you know what quantity of fowl are sold here every market?—Well, I cannot say; but I know that I laid out £38 myself there the last day, and a man from Waterford laid out as much. I think there was very little short of £100 last Saturday.

4776. Are fowl sold on Wednesdays?—Very little.

4777. Do you not think it would be better to have all sold in a proper enclosed market?—Indeed I think it would.

4778. It must be a great inconvenience in the public street?—Indeed it is.

Mr. *John M'Gee* examined. 441. Mr. John M'Gee.

4779. What is your occupation?—I buy corn for Messrs. Cross and Company.

4780. Do you buy and weigh at the store?—Yes.

4781. Standing beam or down weight?—A turn of the beam.

4782. Do you weigh to the pound?—Yes, to the pound.

4783. What do you deduct?—Five pounds a barrel on wheat. We do not buy any thing but wheat.

4784. And the actual tare of the empty sack?—Yes.

4785. Would you be in favour of a general market, and oblige all corn to be weighed and sold there?—I would.

4786. Would you approve of an assimilation of weights and measures?—I think it would produce a great deal of good.

4787. Would it not be the best plan to abolish beamage and regulate prices accordingly?—I think beamage would be very properly done away with.

4788. Do you weigh by the barrel or the stone?—By the barrel.

4789. Don't you think weighing by the stone a better system?—I think it would be immaterial, provided there were a uniform system.

WEXFORD, December 9, 1852.

WEXFORD,
9th December, 1852.

Mr. *Benjamin Vicary* examined. 442. Mr. Benj. Vicary.

4790. Are you Town Clerk of the Corporation?—Yes, since the establishment of the new Corporation.

4791. When were they established?—Under the new charter of 1846.

4792. Had you Commissioners until 1846?—No; the late officers continued to act.

4793. Under what old charter was the Corporation originally established?—I cannot say.

4794. By what patent or authority were the markets in this town originally established? Under the old charter of James I.

4795. What day was fixed for holding the markets under that charter?—Saturdays and Wednesdays.

4796. Did it authorize the levying of tolls?—It did.

4797. Were tolls ever levied by the Corporation?—They were; but they were abandoned about twenty-five years ago in consequence of considerable opposition.

4798. Are the markets still held upon Wednesdays and Saturdays?—They are.

4799. Who are the proprietors of the markets?—The present Corporation, as successors to the old Corporation.

4800. Are tolls paid now at the markets?—None whatever, of any description, except so far as relates to the fish-market, which has been recently constructed by the existing Corporation, and they charge a mere nominal rate for standings, this can scarcely be called a toll.

4801. That would come under the head of rent?—Exactly.

4802. If people do not wish to use the market are they obliged to pay this charge?—Certainly not; it is a *bona fide* rent. There are also the meat shambles; but they are private property.

4803. Is there an enclosed corn market?—No; there is a market where corn can be weighed.

4804. Where, then, is corn sold?—On the quay and about the streets, and it is generally weighed in the private stores of the merchants.

4805. Have you a potato market?—The corn market is now generally appropriated to potatoes and vegetables of all kinds.

4806. Is it in the street?—It is a portion of a street, or rather an enlargement of a very narrow street.

4807. Is there a market-place or market-house?—There is a market-place and a small house, where the people come chiefly for the purpose of weighing potatoes.

4808. Have you a weighmaster?—There is a woman.

4809. Is she appointed by the Corporation?—I believe so.

Mr. *Thomas Lacey* examined. 443. Mr. Thomas Lacey.

4810. What appointment do you hold?—I am treasurer to the Corporation, and also inspector of weights and measures.

4811. Is there a potato market here?—It is held in the place formerly a corn market, but potatoes are sold along the line of quays and in the streets also.

WEXFORD, *9th December*, 1852.

443. Mr. Thomas Lacey.

4812. In fact there is no regular market?—No regular market.

4813. Are the scales upon the open quay?—They are in part of the market-house underneath; the upper part is used for assembly rooms.

4814. Is corn weighed there?—It could be, but there is very little weighed there now.

4815. Have you an enclosed butter-market?—There is a house, but it is not sufficiently large to admit of people bringing their goods there; they weigh there; there is merely a crane where the butter is weighed.

4816. Is it the property of the Corporation?—It has been so heretofore, but the present Corporation does not take charge of it.

4817. Is there an inspector?—There was a Mr. Eustace appointed in the olden time, but it is Mr. Hughes who has it at present, and who has for the last thirty years exercised the office of craner.

4818. Who received the commuted allowance when Parnell's act passed?—Mr. Hughes.

4819. Was he appointed originally by the Corporation?—I should suppose so.

4820. Was it the Corporation got up the fish-house?—I think they were aided by private subscription; but it is the property of the Corporation, and one of the mayor's officers collects the rent.

4821. Is it compulsory to sell the fish there?—No, they may sell it elsewhere if they like.

4822. If they don't go there are they charged?—No; they merely pay a few pence a week if they go there, and most of that goes to the woman for washing and cleaning the place.

4823. Have you any other market?—We have a butcher's meat-market, but it is private property.

4824. Is there a fowl market?—There is a place used as a fowl-market, but it is in the open street, in the most public part of the town.

4825. What fairs are you authorized to hold by the patent?—Two fairs—upon the Feast of SS. Peter and Paul, and the two days following, and upon the Feast of All Saints, and the two days following.

4826. What is the entire number of fairs in the year?—17th of March, 1st of May, Whit-Monday, 29th of June, 24th of August, 29th of September, 1st of November, and 8th of December.

4827. Does that include the two old fairs?—Yes.

4828. Under what authority were the new fairs held?—I cannot say; but I heard some old people speaking of some fairs called Paddy Dempsey's Fairs. I suppose because some person of the name made use of some influence to establish them.

4829. Where are these fairs held?—One is held at a place called Faythe, and another on the Windmill Hill, and the others generally through the town. John-street is the principal place where cattle are exposed for sale.

4830. In fact there is no enclosed fair-green?—None at all.

4831. Is not that most inconvenient?—Indeed it may be called so.

4832. Are there any tolls collected?—None.

4833. Did the Corporation ever obtain any other patent that you are aware of for these new fairs?—I never heard of any, nor have I seen any record of the kind.

4834. They receive no emolument whatever then, except a small charge for the fish-market?—No; within the last two years the woman who keeps the place where the potatoes are weighed consented to pay a rent to the Corporation of £5 a year, for which she appropriates the fees to herself.

444. Mr. William Gaffney.

Mr. *William Gaffney* examined.

4835. Where do you reside?—In Wexford.

4836. What is your occupation?—I am a merchant.

4837. Do you buy corn largely in the market?—I do, all kinds of grain—wheat, oats, barley, and beans.

4838. Is it about the streets you buy the corn?—On the quay and about the streets.

4839. Is corn sold every day?—Every day.

4840. Do you employ factors or middlemen to buy for you?—I buy myself in one market, but in the other market I employ persons to buy for me.

4841. But they are your own servants?—They are.

4842. Are there any sky-farmers as in other places?—There are a few—very few.

4843. How are they paid?—Generally 1*d.* a barrel.

4844. By whom is it paid?—By the merchant.

4845. I suppose he charges the farmer with it?—No, I do not think he does; it comes out of the profit, and I suppose the farmer pays it in the end.

4846. Do you weigh the corn at your own stores?—I do.

4847. Do you charge for weighing or porterage?—Not for weighing, but the farmers are charged for the porters whom they employ themselves. They pay them generally 2*d.* or 1*d.* per barrel.

4848. But if the farmer chooses to do the work himself, would you then charge him?—No, certainly not.

4849. What have they to do—hoist the grain?—No, carry it on their shoulders—there are no hoisting machines here—and assist in weighing it.

4850. These men go out on speculation?—Yes, they meet the farmers coming into market, and the farmers make their own bargain with them.

444.

Mr. William Gaffney.

4851. In weighing the corn do you weigh standing beam or down weight?—We just give a turn of the beam.

4852. What is the smallest weight you use?—Seven pounds.

4853. Suppose there were six pounds standing beam, would it be thrown out?—It might, but we are not generally so particular. The farmer may take back what is over if he chooses.

4854. Then you weigh in a box?—We do.

4855. You do not pay for odd pounds?—No.

4856. What deductions do you make in the shape of beamage?—Five pounds on wheat, peas, and beans; four pounds on barley and oats.

4857. Of course you do not require to tare the sack?—No.

4858. In weighing wheat you weigh twenty stone five pounds?—Yes, 200 pounds of oats and 228 pounds of barley.

4859. Are there any other deductions?—None.

4860. Do you always weigh in a box?—We do, unless for people who are not generally in the trade and buy by the barrel, and are dependent upon private accommodation for weighing it.

4861. Have you ever heard complaints made by the farmers of the system of weighing in private?—Yes, I did; at one time they complained very much about exacting the four pounds beamage.

4862. But have you ever heard complaints of frauds practised in weighing?—No, I never did.

4863. Would you not prefer a general market, under the superintendence of a sworn weighmaster, where all agricultural produce would be weighed and sold?—Well, I would have no objection to it, but there might be great inconvenience in it, we have so little accommodation here, if all the sellers were coming up to the same place at once.

4864. If there were plenty of accommodation?—Well, if there were plenty of accommodation provided I would have no objection to it, but I would like to have some person intermediate between the buyer and seller.

4865. Would you be in favour of an assimilation of weights and measures all through the country, and sell everywhere by the stone or the barrel, or some uniform system of dealing?—I would be very much in favour of a uniform system of dealing everywhere.

4866. Would it not be the fairest system in such a market to weigh the corn standing beam—weigh to the pound, and abolish all deductions, except the actual tare of the empty sack, and let the merchant regulate his price accordingly?—I think it would; I quite agree with you.

4867. You said you would have a person to decide disputes between the buyer and the seller?—Decidedly; that very thing would be an enormous advantage.

4868. You would not have any toll more than would be just sufficient to support such a market respectably?—I think that would be quite sufficient.

4869. Would it not be a great advantage of such a system that you could have proper statistical returns of the quantity sold, and the average price?—That is a very valuable suggestion; I would also suggest that there should be a public market for all other commodities as well as corn.

4870. Certainly, a general market which might be applied to all purposes. If possible, would it not also be desirable to have all sold in the same place?—It would; I would also remark that the principal sellers of all commodities here are females, for whom there is no protection whatever.

4871. Would you be in favour of a public butter-market also, with a sworn inspector?—Most certainly.

4872. Do you think it would be a good plan to adopt the system they are going to carry out in Limerick, under their new Bill, to have all butter inspected and weighed before sale?—Just so; I would be quite in favour of it, provided market accommodation be obtained. At present our market accommodation for meat and butter is in private hands, and might be closed whenever the individual chooses.

4873. In fact you have no market accommodation whatever?—No, indeed.

4874. Would you be in favour of having the market begin and close at a certain hour?—I would; it would be decidedly better for the merchant to have stated hours. At present one does not know whether it will be early or late, and may be called away from his business at any hour.

Mr. *Charles Reeves* examined.

445.

Mr. Charles Reeves.

4875. Where do you reside?—In Wexford.

4876. Do you buy corn and butter?—Yes.

4877. Do you approve of the suggestions we have got from the last witness with regard to the corn trade?—Decidedly.

4878. Is butter sold in the public streets here?—The chief part of my butter trade is done out of the town; and I have no hesitation in saying, that if there were a well-constituted market, four-fifths of what I buy would be bought in Wexford. There is not sufficient accommodation here for a large butter trade.

4879. Do you buy at your own stores?—The chief part at my own stores.

4880. You weigh and inspect there?—Yes.

4881. Do you make any charge?—No charge for weighing, but we charge for cooperage.

4882. Do you make the same charge when it is weighed at the butter-market?—We do;

WEXFORD, 9th December, 1852.

445. Mr. Charles Reeves.

4*d.* a firkin. It is 6*d.* a firkin at Ballycanew, out of the town, and two pounds beamage when it weighs three, and 3*d.* when it goes over that.

4883. Do you weigh standing beam?—Just a turn of the beam.

4884. Do you weigh to the pound?—Of course.

4885. Is there an actual tare of the firkin?—Yes, there is generally an average taken, and fifteen pounds deducted.

4886. If the firkin tared thirteen, you would still deduct fifteen pounds?—Yes, but unfortunately we very seldom get any of that kind.

4887. When it is over that the farmers have to allow it?—They have, provided we find it out.

4888. For what do you charge 4*d.* cooperage?—We have to pay the cooper 4*d.* for trimming every firkin; they have to be stripped and the proper tare put on when going out, and we consider the countrymen have a right to pay us.

4889. Do you ship on your own qualification?—Yes, always.

4890. How do you brand your butter?—I brand the first, "Reeves's fine Mackamers," and the seconds, "fine dairies." I have established a brand for myself.

4891. When you ship butter bought at the public market, is it, also, upon your own qualification?—It is.

4892. Are there many frauds practised in the tare of firkins?—Indeed we find them sharp enough; but there is not a great deal of fraud.

4893. Do you ever buy by the lump?—Yes; we frequently buy by the hand.

4894. Do you consider that a bad system?—I do not like the system; but others adopt it, and, of course, I must do it as well as the rest. In buying it by hand, we generally agree that it shall be up to a certain weight.

4895. Do you think that system calculated to deteriorate the quality of the butter?—Yes; but then we only deal with every man as we find him.

4896. But would not the fairest system be to have all the butter weighed and inspected before sale, under proper superintendence, and let the whole transaction close there?—Decidedly it would.

4897. For butter, corn, and all other agricultural commodities, you think the public scales would be the best test?—Decidedly the fairest for all parties.

4898. Does your butter rank high at the other side?—If it were shipped as Wexford butter it would not rank high; but a good deal is shipped as Carlow, or Wexford Carlow.

4899. What quantity of butter is sold here in the year?—I should say something short of 10,000 firkins. If we had a good market, there would be a great deal more; for the out-markets would probably be brought in here.

4900. Would you have some arrangement by which the firkins would be tared and branded in the public market when they leave the cooper's hands?—It would be a great matter, and very necessary; and it would also be a great advantage to have some surveillance to see that the butter was tightly and properly packed.

446. Thomas Murphy.

Thomas Murphy examined.

4901. What is your occupation?—I am a cooper, and inspector of butter, and deputy-weighmaster.

4902. Are you appointed by Mr. Hughes?—Yes.

4903. What staff has he got?—One cooper and myself.

4904. What are your charges for inspecting and weighing?—Four pence a firkin.

4905. Do you give a ticket?—I do.

4906. Do you charge 4*d.* whether you inspect it or not?—Yes; when I give a ticket.

4907. Do you account to Mr. Hughes for the receipts?—I do.

4908. And you are paid a salary?—No; there is a division of the 4*d.*

4909. How much butter is sold and weighed at your market for a year?—I have been there only since last June, and, since then, there has been a considerable improvement; I should say about 120 firkins a week, on an average, are sold.

4910. What is your system of weighing?—I give fair weight, just a fair cast of the beam.

4911. Do you weigh to the pound?—I do.

4912. And deduct the tare?—I mark down the tare.

4913. Do you ever test the tare?—The cooper does that in the market.

4914. And then deduct the extra tare?—Yes.

4915. Does the merchant, when it goes back, take off super tare?—He does.

4916. Do you deduct beamage?—No; that is done by the merchant.

4917. Do you make up the price?—No.

4918. Have you only one scale?—Only one; and I am sorry to say it is quite enough for all the business doing.

4919. Do you think buying by hand has tended to deteriorate the butter?—Indeed I am sure it has.

4920. Do you think it promotes fraud?—I am sure it does.

4921. Is the market the property of the Corporation?—It is the property of Mr. Hughes.

4922. Was not he appointed by the Corporation?—He was; but it was he who built the market.

John Whitmore examined.

WEXFORD, *9th December*, 1852.

447. John Whitmore.

4923. What is your occupation?—I am a weighmaster of potatoes, with a beam and scales on the quay.

4924. Have you the sanction of the Corporation?—They never prevented me.

4925. What do you charge for weighing?—One penny for a sack; and ½*d.* for a small draught, of seven or eight stone.

4926. How do you weigh?—Just a turn of the beam.

4927. What is your smallest weight?—Four pounds.

4928. What deductions do you make?—I make no deductions.

4929. How much is a stone of potatoes?—Fourteen pounds.

4930. What do you deduct for the weight of the sack?—Sometimes four or five pounds, sometimes seven—never more.

4931. Do you account to any one for what you receive?—No.

4932. Do you keep a book?—No.

4933. Or give a ticket?—I just mark it on the sacks with chalk.

4934. Do you weigh much in the course of the year?—No, indeed; I suppose not fifty sacks in the course of the year.

4935. Do you weigh corn?—A little, in the time of seed; very little.

Nathaniel Hughes examined.

448. Nathaniel Hughes.

4936. Do you live in this town?—I do.

4937. What are you?—A collector under the Pipe-water Commissioners.

4938. Are the fairs in the streets an inconvenience to the public, in blocking up the thoroughfares?—No doubt of it. I believe several houses are unoccupied in consequence of it.

4939. Is there any shelter from the weather there?—Not the least.

4940. When the Corporation levied tolls, did they give any more accommodation?—Nothing more than now.

4941. Do you think a proper enclosed fair-green would be more convenient?—Indeed I do.

4942. Are there a great many fowl sold here?—Yes, a great deal.

4943. Is the fowl market as large as at New Ross?—I should say a great deal larger. I should think the sale is up to £100 here, each market.

4944. They told us in New Ross it was sometimes up to £300; does it ever reach that here?—Oh, no; nothing like it.

Mr. *Thomas Lacey* re-examined.

449. Mr. Thomas Lacey.

4945. You are inspector of weights and measures?—I am.

4946. How often do you examine?—Generally once a year; some oftener. The constabulary commenced exercising the power under the recent Act, and they seized several weights; and the magistrates, in adjudicating the case, had the satisfaction of being able to state, that there were none whatever that could be called fraudulent—merely a trifling decrease by wear and tare.

4947. Are you aware what is the charge for fish?—I think something like 1*d.* or 2*d.* a week.

John Harvey, esq., examined.

450. John Harvey, esq.

4948. Do you reside in this town?—No, I live in the country.

4949. What is your occupation?—I am treasurer to the county.

4950. Are you in favour of a general market, under proper superintendence?—Most decidedly. I think the present system inconvenient to every one, buyer as well as seller.

4951. You think the system of holding markets in the public streets very objectionable?—I think it very inconvenient and objectionable.

4952. You would be in favour of only a sufficient toll to support a general market respectably?—Decidedly. I think revenues ought to be kept down.

4953. Would you be in favour of holding fairs in an enclosed fair-green, and charging a very small toll on entering for a goods' standing?—I happen to be a farmer myself, and, I think, the greatest convenience of a fair-green would be that people could see, at one glance, what they wanted there; while, in some places, part of the fair is a mile off from the other.

4954. You would not, as a farmer, object to pay a small toll for a good standing?—Certainly not.

4955. Would you have the toll charged upon entering?—I think it would be the fairest plan, and a very small toll would keep it up. It would prevent a great system of perjury which arose in consequence of the way the tolls were collected. It would also prevent great cruelty to animals. I had a man fined £1, myself, for striking a beast of mine at Bray. I refused to pay toll, and I told him not to strike the beast; he struck it on the eye, and I summoned him, and he was fined £1. I think tolls were never collected there since.

Johanna Whitty examined.

451. Johanna Whitty.

4956. Are you the weighmistress of the potato-market?—Yes.

4957. By whom were you appointed?—By Mr. Hughes, the Mayor, and by the Corporation.

4958. Were you ever sworn?—I never was in all my life.

WEXFORD, 9th December, 1852.

451. Johanna Whitty.

4959. Do you pay rent to the Corporation?—I pay £5 a year.
4960. Do the scales belong to yourself?—No, to the Corporation.
4961. Are they in a house?—They are.
4962. Do you make any charge unless you weigh?—Not at all.
4963. What is your charge?—One penny for eight stone, if I get it; but very often I do not get it.
4964. And what do you charge if you don't get it?—Nothing at all; they go away abusing me.
4965. Do you ever get more than 1*d.*?—Never; and I weighed thirty-six stone last week, and I got no more, and I asked no more.
4966. Do you weigh corn also?—Sometimes.
4967. Have you any person but yourself?—There is, my daughter and a boy.
4968. Do you keep a book?—No.
4969. Do you give a ticket?—No; I mark it on the bag, or on a board, and make it up for them.
4970. You do not write it on paper?—If it was required I would.
4971. Do you weigh standing beam?—I turn the beam.
4972. What is your smallest weight?—Seven pounds.
4973. Then they may lose half a stone?—They may.
4974. What deduction do you make?—Nothing but half a stone for the empty sack.
4975. If there were odd pounds, might they lose them?—They might take them out if they liked.
4976. What do you charge for corn?—One penny a barrel.
4977. Do you weigh with a cast of the beam?—Just even, with four pounds hung on for beamage.
4978. Do not you weigh any sacks?—Yes; and the sacks are weighed after, and the weight deducted.
4979. Do you weigh to the pound?—Yes.
4980. With one-pound weights?—Yes, and half-pound weights.
4981. Do you give a ticket?—Yes, if necessary.
4982. And if not necessary?—I mark the weight on the bag or the board.
4983. Do you weigh turnips and mangolds?—I do. I get 2*d.* for a cart of turnips, and sometimes 3*d.* for a big cart of mangolds.

ENNISCORTHY, 10th December, 1852.

Enniscorthy, December 10, 1852.

Mr. *Thomas Wilkinson* examined.

452. Mr. Thos. Wilkinson.

4984. What is your occupation?—Clerk to the Town Commissioners.
4985. Are you aware under what patent or authority the markets and fairs in this town are established?—I am not; I never saw the patent, but I believe such a thing is in existence.
4986. Who is the proprietor of the markets?—The Earl of Portsmouth.
4987. What are the market days?—The principal market day is Thursday, the corn market on Tuesday, and a general market on Saturday, but corn is sold every day.
4988. You do not know if these are the days authorized in the patent?—I think Thursday is, at least it is so by usage.
4989. How many fairs are held in the year?—Thirteen, one in every month, and two in August.
4990. Are tolls paid at the market?—No; not of any kind.
4991. Were there ever?—There were customs collected by the nominees of Lord Portsmouth, but they have not been collected for about thirty years.
4992. Have the Town Commissioners any control over the markets?—I never heard that they exercised or claimed any.
4993. Is there a public corn-market?—No; corn is sold in the streets and weighed in the private stores.
4994. Are potatoes and butter sold in the streets, and wool?—They are.
4995. In fact you have no public market?—No; everything is sold in the streets except what is sold at the meat-market.
4996. Have you public beams and scales?—One pair of scales in the under story of the market-house.
4997. Is there a weighmaster appointed by Lord Portsmouth or his agents?—There is.
4998. Who receives the fees?—The weighmaster.
4999. Where are the fairs held?—In the streets; there is a fair-green, appointed lately, but it is principally for horses; cows and pigs are all sold in the public streets.

Mr. *Thomas Pounder* examined.

453. Mr. Thos. Pounder.

5000. Are you one of the Town Commissioners?—I am.
5001. Do you buy corn in the town?—I buy all sorts of grain.
5002. Do you buy in the public streets and weigh at your own stores?—I do.
5003. Do you make any charge to the farmer for weighing or porterage?—No, I do not charge for weighing; I have no teakle for oats, and they are obliged to pay 1*d.* a sack for carrying it up.

ENNISCORTHY, 10*th December*, 1852.

453.

Mr. Thos. Pounder.

5004. But if they carry it up themselves would you charge?—Then I would charge nothing, of course.

5005. Would they receive any opposition if they carried it up themselves?—Not the least.

5006. What is done at the other stores?—Well, I think at the other stores they have hoisting machines.

5007. Do you weigh in sacks or in a box?—In a box.

5008. What is the smallest weight you use?—Half a stone; any thing over that they may take away if they like, but it is only the odd pounds at the end of the last barrel.

5009. What beamage do you deduct?—Five pounds on wheat, four pounds on oats or barley.

5010. Then you weigh as nice as possible?—Yes; just a turn of the beam.

5011. Is it the general custom of the trade not to pay for odd pounds and to allow the farmer to take them away?—It is; and the farmers do, in some instances, take them away, but in nine cases out of ten they leave them.

5012. Is it the usual custom here to weigh in a box?—I think so. I do not know any store where they do not weigh in that manner.

5013. Is there much corn weighed in the public scales?—Very little, except at seed time, and when any dispute may arise about the weights at the store not being right.

5014. Do you approve of the system of weighing and doing business in private?—I do not think we could get on without it, the people are so wedded to it here.

5015. Is there any protection to the farmer if the merchant chooses to weigh dishonestly?—Well, indeed, there is very little check, except that the farmers are by when it is weighing.

5016. But does not the system offer great facilities for practising fraud, if the merchant chooses to be dishonest?—Of course it does; there can be no doubt of that.

5017. Have you ever heard complaints of fraud?—I have heard reports about the town that farmers did complain of certain establishments, but they never came to my own knowledge.

5018. Do you think there was any ground for these complaints?—I could not say.

5019. Would you be in favour of a general market, with proper accommodation, a sufficient number of beams and scales, under the superintendence of a sworn weighmaster, and oblige all agricultural produce to be sold there?—I would, and have beamage done away with.

5020. Would you be in favour of assimilating weights and measures?—I would.

5021. Would you weigh to the pound and abolish all deductions?—I would, most decidedly.

5022. And as a merchant you would not object to buy in such a market?—Certainly not.

5023. Would it not be a good plan to weigh everywhere by the stone of fourteen pounds weight?—I think it would simplify matters.

5024. Do you buy by the barrel or the stone here?—By the barrel; twenty stone of wheat, fourteen of oats, and sixteen of barley.

5025. Would you be in favour of having the head of the market authorized to settle disputes between the buyer and seller, and to prosecute in any case of fraud?—I would, decidedly. The farmers very often give different qualities in the one sack, and when it is weighed in the public crane it is weighed by the sack, and cannot be tested until it comes to the stores.

5026. I find by the Appendix to the Municipal Corporations Act that, by a patent dated the 8th of June, 9th James I., a market is authorized to be held here every Thursday, with tolls and customs, and two fairs—upon the 15th of August and 8th of September—granted to the family of Lord Portsmouth?—Yes, and now we have three market-days from custom.

5027. Are the additional fairs under any patent or authority?—No; they were merely held for public convenience. There are three of the fairs got up by a butcher of Enniscorthy, who sent them up to the almanac and got them inserted.

5028. Do you not think one very desirable object of a general market would be that you could get proper statistics?—Of course that would be a great benefit.

5029. There is no possibility now of obtaining them?—No, except such as could be got from going round to all the different merchants.

5030. Would you have the toll any thing more than would be sufficient to support such a market respectably?—Certainly nothing more.

5031. Do you think the farmers would object to pay for a proper market?—I think they would. I will give my reasons: I have known persons, who purchased at the market, come down and request me to allow them to weigh at my place to save cranage.

5032. But you were in the position of a public weighmaster then, for you were not buying?—It would be all the same; they did it to save the fees.

5033. But do you not think the public market would be the best test?—Of course, there can be no doubt that the public market is the best, and I would wish to see it established.

Mr. *Edward Lett* examined.

454.

Mr. Edward Lett.

5034. Do you live in Enniscorthy?—I do.

5035. Are you in the corn trade?—I am.

5036. Do you buy all kinds of grain?—I do, frequently.

5037. Do you concur in the opinions of Mr. Pounder?—I do not, in some of them; for,

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454. Mr. Edward Lett.

I think it would be quite an impossibility to weigh corn in a public market, from the large quantity coming in.

5038. What is the quantity?—Sometimes we get 500 or 600 barrels of oats in a day.

5039. Is this as large a market as Cork?—Of course not.

5040. They find it very easy to weigh all the corn which comes in there in a few hours, and there are as many as 4,000 or 5,000 barrels in the day.—But how do they get it to the stores afterwards?

5041. By the farmers.—May not corn be taken out of the sacks on the way?

5042. Any frauds of the kind can of course be punished; there would be a person at the head of every public market to decide disputes, and if frauds were found, to prosecute the farmer;—would not that be the best plan?—I think the disputes would be endless.

5043. What security has the farmer now that the merchant will treat him fairly?—He watches the weighing, and sees that there are proper scales.

5044. But the scales may look very well, and one beam be larger than the other?—Then he can weigh it at home himself.

5045. Suppose that he has not the scales?—Let him take it to the public crane, and first satisfy himself.

5046. Is not that what we are suggesting should be done in every case?—I think the business would never be got through if it were all weighed in the market.

5047. In fact, you disapprove of a public market, and prefer remaining as you are?—I do, certainly, because I think the thing would be utterly impossible.

5048. Would you be in favour of abolishing beamage?—I think so.

5049. And an assimilation of weights and measures?—I would; I think it would all come the same to the merchant whether there was beamage or not, if the markets were assimilated.

5050. Do you think it would come the same to the farmer?—To be sure, the very same; because the merchant calculates the expenses, and takes off the beamage accordingly.

5051. Does it not keep up a fictitious price?—It is just the same.

5052. When all valuations are founded on corn, does it it not make a great difference?—I do not see how it does; I think it is all the same.

5053. Have you ever heard any complaints of frauds practised by weighing in private?—I do not recollect hearing of any, in my time; any thing of the kind would soon be detected by the farmer; and the moment it was detected, it would go through the country like wildfire

5054. Did you ever know an instance of one merchant being able to give a higher price than others by weighing at home?—Not here.

5055. Is the system of weighing here generally such as Mr. Pounder described?—It is.

5056. Do you think bringing the buyer and seller together in the market, would be an improvement?—Well, I think it would be a great improvement.

5057. But you don't approve of weighing and buying in a general market?—I do not, for I think it would be impossible.

5058. Have you ever been in a public corn market?—Never.

455. Mr. John Cullen.

Mr. *John Cullen*, examined.

5059. Are you in the corn trade?—Yes, and the butter trade. You seem to think that the farmers are not equal in intelligence to the buyers. The farmer will take care to know what weight his sacks are to turn out, and I think he is in just as good a position as the merchant, unless the merchant is a downright rogue. When the farmer goes to the store he balances the scales himself, and he sees that they are balanced properly. Whoever is first in generally goes and looks to the scales; I have often seen them do it myself. There is another point I wish to remark on. Mr. Pounder said that half a stone is the least paid for; now I pay for a quarter stone, and if the farmer wishes to take the two pounds away, he may do so. Then with regard to porters, the farmers can act as they please; in point of fact, the traders consider the porters a great annoyance, and it is the small farmers who encourage them, for they think they can give them news about the prices of corn. With regard to a public market, I can see no objection to it; but I know at the same time if the corn was being weighed there, I would have my scales going on as at present. I also wish to remark, that suppose the farmer was inclined for fraud, he might come down with twenty barrels weight, and take out twenty-one stone, and then say to me, "Oh! my weight is correct, here is a ticket from the weighmaster."

5060. In such a case you could go back to the public scales and try it, and then the weighmaster would have the power of punishing the fraud.

456. W.J.Wallace, esq. J.P.

William James Wallace, esq., J.P., examined.

5061. Where do you reside?—At Ballycourcey, two miles from town.

5062. You farm extensively?—I farm upwards of 3,000 acres Irish.

5063. Do you sell largely in this town?—I do not; because I cannot get as good a price as I get elsewhere.

5064. Would you be in favour of a general market?—I would; as a protection to the farmer, and no injury whatever to the honest merchant. I consider the Enniscorthy merchants as respectable as any other class or number of men in any town in Ireland, but where there are a number of people, we all know there must be some dishonest ones. Some few years since I used to send my corn in sacks, and I found in some instances, whether

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456. W.J.Wallace,esq.J.P.

by mistake or otherwise, that I was not paid for as much as I sent in. I then adopted the system of putting over barrels with the beamage in each sack, and I always found it suited to the weight with the merchant, no matter to whom I sold it. I consider, knowing the county of Wexford pretty well, that there is not one farmer in a hundred has scales and weights at home. I do believe there is not one in two hundred who attempts any sort of weighing at home; and as respectable a man as any in the world, Mr. Lett, will tell you that there is hardly a day he is not asked for two tickets for each load of corn, by the servant or the farmer's son, bringing in the corn, and selling it at the private stores. If Mr. Lett was base enough to give the second, the farmer would be defrauded of part of his corn.

5065. Is that the purpose it is asked for?—It is; and we all know throughout Ireland that the farmer is robbed more by his son or his servant than by the merchant. A public market would, of course, put a stop to that.

5066. You consider a general market would be a protection to the trade?—I do; and I am convinced that every farmer would see the benefit of it, and would willingly pay a small charge for it.

5067. Would you be in favour of assimilating the weights all over the country?—Decidedly.

5068. And abolishing all deductions?—Certainly; in corn and everything else, not excepting wool.

5069. Would you be in favour of having a proper enclosed fair-green, instead of the public streets?—If a fair-green could be obtained *gratis* I would, but not if tolls were to be paid, for tolls generally cause great disputes and quarrels.

5070. But do you not consider that these disputes arise from the system of paying the toll on cattle sold, when going out?—No; for there are some places where you pay toll whether you sell or not.

5071. But suppose a proprietor provided a proper enclosed fair-green, would you object to pay a very small trifle for a standing in such a place?—I would not, certainly.

Mr. *Thomas Rudd* examined.

457. Mr. Thomas Rudd.

5072. Where do you reside?—About five miles from the town.

5073. Do you farm extensively?—About 600 acres.

5074. Would you be in favour of a general market?—Decidedly.

5075. You think it would be the fairest for both parties, the farmer and the honest merchant?—I have no doubt of it.

5076. Would you, as a farmer, object to pay a small charge for such a market?—Not if I could go home contented that I had not been imposed upon; and I can answer for the farmers of the county of Wexford, that they would be well satisfied with it, and willing and anxious to pay a trifle for proper accommodation.

5077. Have you ever heard complaints of fraud practised in private weighing?—Indeed I have, and I believe many are practised, and I have reason to believe it.

5078. What is the nature of those frauds?—The farmers do not receive proper weight; there are deficiencies in the beams and weights. As for the farmers weighing their own corn, not one out of twenty of them have beams fit, or scales and weights fit; you may rely upon it, the farmers would be very much obliged to you, if you could do away with beamage, and get them protection against being imposed upon.

5079. Is the butter you send in sold about the streets?—It is.

5080. Is it the merchant who inspects and weighs?—It is.

5081. What is the system of weighing?—They first inspect the quality, then weigh it.

5082. Do they weigh standing beam or down weight?—They weigh tolerably fair to the eye.

5083. Do they weigh to the pound?—Yes; nothing less than a pound.

5084. What deductions are made from the gross weight?—It was the custom half a year ago to take off the firkin, if it weighed three quarters, two pounds, and if it weighed three quarters and one pound, to take off three pounds, so that you had no advantage from a firkin which weighed three quarters and a pound. However, I always weighed my firkins and made them exactly three quarters.

5085. What is the custom now?—To take off all the firkins four pounds.

5086. Do they then deduct the actual tare of the firkin?—Yes; if they suspect that the firkin is very heavy they strip it and weigh it.

5087. If they do not strip it, what deduction do they make?—Fifteen pounds, generally.

5088. If the firkin weighed only thirteen pounds would they deduct fifteen pounds?—No doubt of it.

5089. Then the merchant has the advantage when it is under fifteen pounds, and the farmer pays for all that is over?—Exactly.

5090. Do they make any additional charge?—Yes; they charge 6*d.* a firkin cooperage, and 10*d.* for casks.

5091. Who made that regulation?—The butter buyers made the law themselves.

5092. Would you be in favour of all the butter going into a general market, to be inspected by a sworn inspector, and weighed before sale?—Decidedly, I would.

5093. Would you be in favour of abolishing all deductions and regulating the price accordingly?—Indeed I would.

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Mr. *Samuel Armstrong* examined.

458. Mr. S. Armstrong.

5094. Do you reside in Enniscorthy?—I do.

5095. Are you in the butter trade?—I am.

5096. Do you always buy at your own stores?—I do.

5097. Do you inspect and weigh there?—Yes.

5098. Would you prefer a public market?—I would. I have to take a great deal of butter worth not half what it cost, and a great deal worth more, in order to take an average. If I could confine myself to quality, I might get 3*s*. a hundred-weight more than I do; but I cannot do so. If we had a public market we could know the qualities, and pay the price for those which were really worth it. I, as a merchant, would find it a very great advantage, for with one-third of the capital, I could do the business; because, under the present system, I am obliged to buy three times as much as I want. If I am looking for a hundred firkins, fine butter, I must purchase three hundred. Again, I think it would be a decided advantage for people to know the weight of every other place. With respect to tares, it may be objected that there are fifteen pounds taken off when the firkin only weighs thirteen pounds; but I consider that the farmers, if they have common intelligence, can get the firkin from the cooper a sufficient weight. All we want is, that they should be obliged to have the butter sufficiently packed. I do not think that in the course of the season I have got fifty pounds on tares, on 5,000 firkins of butter.

5099. Then you would be in favour of a general market and having the butter inspected and weighed there?—Decidedly.

5100. Would you deduct the actual tare of the firkin, and abolish all beamage?—I decidedly think it would be for the interest of all parties concerned.

5101. Have you any idea what quantity of butter is sold here in the year?—I should say from 15,000 to 20,000 firkins in the season.

5102. Would you do away with the charge for cooperage also?—Well, that would make no difference.

5103. Would it not simplify matters?—We get no advantage from cooperage; we pay the cooper for putting the casks into condition, he gets all the receipts of it.

5104. Would it not be much more satisfactory to pay the actual price for every thing?—Certainly; a fictitious price is a great evil as between tenant and landlord, because it is the basis of valuation; but as between the farmer and the merchant, I do not consider that it makes any difference. We take the thing into account, and give a price accordingly.

5105. Is that always the case?—It is always so here; competition will settle it.

5106. Do you think the system of having the firkins branded at the public scales would be an advantage?—Well, I do not know that it would. I do not think there can be much fraud at present. One great thing, certainly, would be to have the timber properly seasoned.

5107. Have you any means of securing that except by branding at the public market?—I think that system would lead to a great deal of dissatisfaction, without relative advantage. For instance, the cooper inspecting the branding might have a particular friend a cooper.

5108. If there were any thing wrong, you would have an opportunity of punishing the party?—Even if the firkin were seasoned properly, there would be means taken to soak them with fresh water, butter-milk, or something of the kind, which would be decidedly worse than if the timber were green.

5109. Then you would not be in favour of a general inspection?—I would not object to it, but I think it would not do any good.

5110. Is there much butter sold here by the lump?—There is.

5111. Do you consider that a bad system?—I think it a very pernicious one. It is creeping up in the town lately, from want of a market.

5112. Do you consider that system calculated to deteriorate the quality of the butter?—Certainly.

Mr. *John Nelson* examined.

459. Mr. John Nelson.

5113. Do you reside in Enniscorthy?—I do.

5114. Are you a butter-merchant?—I am.

5115. Do you concur in the remarks made relative to the general market?—I do. I think there should be a public officer competent to inspect and weigh. I think it would take off a great deal of the odium which has been cast upon us, butter-merchants, and then we would not be responsible for the quality of the butter.

5116. You would be in favour of public inspection?—I would, under a competent person; but I remember the old system of public inspection; and I knew the public inspector to make egregious errors—tremendous errors. I knew butter to be inspected by him, and marked one quality one day, and taken to him the next week and marked a different quality altogether.

Mr. *Sparrow Carroll* examined.

460. Mr. S. Carroll.

5117. What is your occupation?—I am craner and weighmaster.

5118. Were you appointed by Lord Portsmouth?—I was.

5119. Have you been sworn under the 4th of Anne, c. 14?—I have.

5120. What do you weigh?—Potatoes, a little corn, some wool, and beef and pork occasionally.

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460. Mr. S. Carroll.

5121. Do you keep a book?—No.
5122. Do you give a ticket?—I do, when it is required; not in all instances.
5123. If it is not required, how do you mark the weight?—I mark it with chalk upon the sack.
5124. Or upon the hat?—Yes.
5125. You could give no record of the quantity sold or weighed?—No.
5126. Do you receive a salary?—No salary, but the little emolument arising out of the office; and since 1846 I do not get 6*s.* a-week.
5127. Do you pay any rent?—No.
5128. Do you account for your receipts?—I do not.
5129. What is your system of weighing potatoes?—I just require a turn of the beam.
5130. What is a stone of potatoes?—Fourteen pounds.
5131. What is the smallest weight you use?—One pound.
5132. What deductions do you make?—Half a stone for every sack.
5133. What beamage?—None for potatoes.
5134. How do you weigh corn?—By the barrel.
5135. Do you weigh to the pound?—Yes; I only require a cast of the beam.
5136. What do you deduct?—Four pounds a barrel.
5137. What for a sack?—I never weigh sacks; they are all weighed elsewhere.
5138. You only give a ticket for the gross weight?—Exactly.
5139. Do you take the beamage into account?—Not at all.
5140. Do you deduct four pounds for wheat, barley, and oats?—No; five pounds for wheat; four pounds, barley and oats.
5141. Is the tare of the sack taken afterwards?—It is.
5142. In weighing wool, do you weigh standing beam?—I take a cast.
5143. Do you weigh to the pound?—I do.
5144. What do you deduct for beamage?—Two pounds a hundred-weight, and eight pounds tret on twenty stone.
5145. And the actual tare of the pack?—Of course.
5146. How many pounds to the stone?—Sixteen.
5147. How do you weigh pigs?—To the pound.
5148. What do you deduct?—Nothing; I only weigh gross.

W. J. Wallace, esq., examined.

461. W. J. Wallace, esq.

5149. How is bread sold here?—By the lump.
5150. Would it not be desirable that it should be sold by weight, and let the price vary according to the price of flour?—Most certainly, it would be very desirable.
5151. Where are fowl sold?—They are sold up to two or three o'clock in the morning in the public streets, and are a great source of disturbance, annoyance, and inconvenience.

Enniscorthy Market.—Charges made by Weighmaster at public Crane.

	s.	*d.*
Wool, per stone,	0	0½
Wheat, per barrel, 20 stone,	0	1
Barley, „ 16 „	0	1
Oats, „ 14 „	0	1
Beef, per quarter,	0	1
Pork, per pig,	0	1
Bacon, per flitch,	0	0½
Potatoes, per sack,	0	1

Enniscorthy, 11*th December*, 1852. Sparrow Carroll, *Weighmaster*.

Thomastown, December 11, 1852.

THOMASTOWN, 11*th December*, 1852.

Mr. *William Clifford* examined.

462. Mr. Wm. Clifford.

5152. Do you live in Thomastown?—I do.
5153. Are you agent to the proprietor?—I am agent to part of the property; the property is divided among a great number of persons.
5154. Are you agent to Lord Carrick?—I am.
5155. Who is the proprietor of the fairs and markets here?—Lord Carrick; there was a patent granted to Lord Clifton, I cannot say in what year it was granted, and Lord Carrick holds it under Lord Clifton, as far as holding the lease of a market-house, which now does not exist, having been thrown down by a presentment at the county Assizes.
5156. Did Lord Carrick ever levy any toll?—He did at one time. The proprietor is a Mr. Davis, who was at one time surveyor of the town, and I understand he exercised the right.
5157. Under Lord Carrick?—No; Lord Carrick is rather under Mr. Davis.
5158. Was this ever a corporate town?—It was.
5159. Was it the Corporation collected the tolls?—It was.
5160. Was it a borough?—It was, and placed in Schedule B, under the Reform Act.
5161. What are the market days?—Mondays and Fridays, but sales take place every day.
5162. Is there a market-house or market-place?—Nothing but the street.
5163. No accommodation whatever?—None.

THOMASTOWN, 11th December, 1852.

462. Mr. Wm. Clifford.

5164. Is there an enclosed fair-green?—There is.

5165. Sufficiently large?—Yes, for any purpose.

5166. Are there any tolls collected at the fairs or markets now?—Not at the markets, only at the fairs.

5167. What are the fairs?—There are four held in the year, on the 17th of March; the 25th of May; 29th of June; and the 1st of September.

5168. Is the fair-green provided by Lord Carrick?—It is.

5169. Does he levy tolls?—Yes; at least Mr. George Reed, of Kilkenny, does, to whom they are leased. There are other fairs held here with which Lord Carrick has nothing to do—on the 6th of January, 30th of April, 15th of August, 1st of November, and another in December.

5170. By whom were these fairs established?—By the person who held the fairs here formerly.

5171. Without any authority or patent?—I should say so.

5172. Are tolls levied at these fairs?—They are. It was contrary to the wish of Lord Carrick that they were established.

5173. Where is corn sold?—At the different mills, and the different buyer's places.

5174. Is it weighed there?—Yes.

5175. Where are potatoes sold?—In the same way, and weighed at the private scales.

5176. Is butter sold in the same way?—Unfortunately there is not much butter sold here, but any sold is sold in the same way.

5177. Are there public beams and scales, or a weighmaster?—No.

5178. Were the fairs leased to Mr. Reed?—There was no regular lease, but he holds the four fairs, at will, for £15 a-year.

5179. Does the agreement specify what the tolls were?—It does not.

5180. Are the tolls levied on cattle leaving the fair?—Yes; only on such as are sold.

5181. How does the party collecting the tolls ascertain whether the cattle are sold?—I cannot tell, unless by asking the people.

5182. Does he swear them?—I should think not, because the magistrates here are very active, and if he did he would be punished.

5183. Does he go through any form, such as making them pledge their consciences?—I think he does; but it is generally ascertained by the mark put upon the cattle sold. I think more escape than are enforced.

5184. I perceive it is stated in the Municipal Corporation Report, that Lord Carrick has nothing to do with the fairs or markets, but that they are the property of the Corporation, held under a patent of Mary, authorizing a market on every Monday, with tolls and customs?—That is for the town, the fairs are for the neighbourhood. The charter also authorizes a fair to be held within the town on the 30th of April, and fifteen following days in every year, with tolls, customs, privileges, and emoluments; it then goes on to state that although the tolls are still collected, the Corporation does not claim them, and that they are held by permission of Lord Carrick. It states that Lord Carrick and Lord Clifton receive them under the Corporation, and that Lord Carrick bought them from Lord Clifton, and holds them under Mr. Davis. I think that refers to the fairs of Newtown and Cloghnabrody, two for each district, in part of which this town is. Lord Carrick has a patent for Newtown, under Mr. Shaw.

5185. Then it appears he has nothing whatever to do with the market?—I think not; Lord Carrick pays rent to Mr. Davis, but he does not levy tolls.

5186. What power had the Corporation to lease the tolls to Mr. Davis?—I do not know. The people of this town claim to be the possessors of very large property in this neighbourhood, which Mr. Davis holds, and it is for him to show by what authority he holds it.

5187. Does Mr. Davis account to any one for the corporate property he holds, or pay any rent?—He does not.

5188. But the Corporation had no power to give away their property; does he pay even a nominal rent?—I rather think not a shilling.

5189. Have the tolls ever been disputed?—They have.

5190. Was there any legal proceeding?—No; prior to the death of Mr. O'Connell, the inhabitants had communications with him, and he said he would carry on the matter himself, but we were waiting for the decision in Cashel and other places, which went against the holders of corporate property.

5191. What prevented the proceedings?—The death of Mr. O'Connell.

5192. Were the four fairs you spoke of established by general consent?—There is a patent for them belonging to the Swan property, but the Corporation of Thomastown have nothing to do with it.

5193. Then Lord Carrick holds those fairs independent of Mr. Davis?—Quite independent; they belonged to the Swan property, of which Lord Carrick had become the purchaser.

463. Mr. Henry Ennis.

Mr. *Henry Ennis* examined.

5194. Where do you reside?—At Island Mills, about a mile from the town.

5195. Are you in the corn trade?—Yes.

5196. Do you buy the corn at your own mills?—Yes; and a good deal outside the town.

5197. Do you buy by sample?—Yes.

5198. And weigh at your mills?—Yes.

5199. What is your system of weighing?—I weigh in sack, and require just a turn of the beam.

5200. What is the smallest weight you use?—Two pounds.

5201. Do you weigh less?—No.

5202. Then if there were two pounds standing beam would you throw it out?—No, I would pass it.

5203. You weigh by the barrel?—Yes, 280 pounds.

5204. What beamage do you deduct?—Four pounds on 280 pounds of wheat.

5205. What deductions on other grain?—Four pounds on fourteen stone of oats, and sixteen stone of barley.

5206. Do you think the system of weighing in private objectionable, as offering facilities for fraud, if a party chooses to be dishonest?—I think not; comparisons would be at once made between my place and some other place, and if anything unfair were done, it would be at once known.

5207. Something unfair might be done for a long time and not discovered?—It is possible.

5208. Would you be in favour of a general market?—Not at all.

5209. Would you prefer the present system?—I would.

5210. Would you not prefer a general market, with proper accommodation, and a sworn weighmaster, where the farmer would pay a small toll, and all agricultural produce would be sold and weighed?—I would think it very objectionable.

5211. What is your objection?—It would cause too much delay.

5212. But there would be no delay in such a market if well carried out. In the Cork corn-market, for instance, or in Ennis, although in Ennis 3,000 barrels of corn are weighed in a day, there is no delay. If forty beams and scales were required, they should be provided in a public market, so you may put delay out of the question?—But then you would have one place to get the corn weighed, and another place to have it started, which would make a tedious business of it. There is another disadvantage, that the mills, which form the market here, are not in the town, but at a considerable distance from it, and there is no central place where a market could be. The market is not in the town of Thomastown, but at the mills.

5213. How many mills are there?—There are three.

5214. Is there no market except these mills?—No other market.

5215. If there were a public market, would not the millers buy there?—I am satisfied a public market here would be a dead letter; you imagine that this is a town with merchants living here, and stores, but there is no such thing, and the town might as well be away altogether, so far as business is concerned.

5216. Are there no buyers in the town?—None.

5217. Do you think a proper general market, at a certain day in the week, would not soon establish itself?—I am sure it would not.

5218. What quantity of corn is sold here?—The quantity of wheat is very large.

5219. Would it not be much better for the farmer to bring his corn into a public market where he would meet all the buyers, instead of hawking it round the mills?—In the first place, you should induce the millers to come in.

5220. If the farmers came, would not the millers soon attend?—The place is not calculated at all for the purpose.

5221. Not under present arrangements; but suppose there was a well-regulated market?—It would be trying an experiment, which, perhaps, might succeed. I think it would not.

5222. It may be more convenient to you to have it brought to the stores?—The corn is not brought to the stores unless it has been previously sold. The farmers come five or six miles with samples, and then if it is bought, they deliver it afterwards.

5223. Then the farmers living in the neighbourhood are at the mercy of three millers?—No; the whole country is studded with mills. I only mentioned those in the immediate neighbourhood.

5224. Would you object, as a merchant, to buy in such a general market, provided there were one?—Not at all.

5225. Would it not possess the advantage of prices being well known and creating competition?—Prices are very well known at present, but the buyers are all scattered through the country, and you should take a circle round a collection of mills, and if the farmers came into Thomastown, they would be bound to three buyers; whereas, by selling by sample through the whole country, they have the advantage of competition.

5226. Would you be in favour of an assimilation of weights and measures all over the country?—I would.

5227. Would it not be well to weigh to the pound, and abolish all deductions?—I do not think it would do the smallest harm in the world.

5228. Would not the farmers gain by it?—I do not think they would.

5229. Does not the system of deductions keep up a fictitious price?—I do not think so; it is well understood.

5230. But all valuations are calculated upon the prices of corn?—I think it just comes to the same thing. It is well known that two hundred and eighty pounds mean two hundred and eighty-four pounds.

5231. But persons cannot know, for it varies in different places?—Most persons know the prices.

5232. Could you tell what they deduct at Sligo?—How does it affect me? If it affected me in the slightest possible way, I would know.

THOMASTOWN, 11*th December*, 1852.

464. Mr. Wm. Clifford.

Mr. *William Clifford* examined.

5233. Would you be in favour of a general market?—Decidedly. I think it would benefit, even the millers, in a little time, because it would be a security to them that any samples bought at the market would be delivered to them, whereas they are not now, very often, and the millers sometimes lose immense sums of money.

5234. Would you be in favour of an assimilation of weights and measures?—I would, decidedly.

5235. And abolishing all deductions and calling things by their right names?—I think the reason of these deductions is the dirty state the corn is delivered in; but if it were brought in a proper state, it would be better to have no deductions.

5236. Suppose a person sends in corn in the cleanest possible state, is not the deduction still made?—It is.

5237. Is not that an encouragement to send in the corn dirty?—I do not think it is, exactly; because, of course, the buyer will regulate his price according to the state of the corn.

5238. Then why not do away with the deductions?—Well, it certainly might make the matter more simple.

5239. Do you think a general market would add to the prosperity of the town?—No doubt of it.

5240. Would it not be a great advantage that in such a market we could get the statistics of the country?—Yes; and we suffer a great deal by not having them. For instance, the rent-charge is regulated by the prices of corn, and how is one to ascertain the prices of corn?

5241. If you had a good market, where every kind of agricultural produce would be sold, would it not be a convenience to the farmer to be able to bring in his corn, butter, and every thing else, and transact all his business together?—No doubt; and the greater the concourse of people, the more the town would be benefited.

465. Mr. Denis Hoey.

Mr. *Denis Hoey* examined.

5242. Where do you reside?—In Thomastown.

5243. Do you buy corn?—Yes; and barley and oats.

5244. Would you be in favour of a general market?—I would; for it would benefit the town generally. I know people who go to the town of Kilkenny, to sell their corn and to buy, and I think if we had a market here that business would be done here.

5245. Would it not be the fairest system for the farmer and the honest trader?—Indeed it would.

5246. Would it not prevent all suspicion of improper weighing?—Well, I never heard of any suspicions here.

5247. Would you be in favour of an assimilation of weights and measures?—To be sure I would. It would make no difference, except a little deviation from an old habit of weighing.

5248. Would it not be the fairest system to abolish beamage, and regulate prices according to quality?—I would be perfectly satisfied with it if there were a proper uniform system.

5249. Would it not be a great advantage to be able to obtain the proper statistics of the country?—I would have no objection to it.

5250. But would it not be an advantage?—I think it would.

466. Mr. E. Hutchinson.

Mr. *Edward Hutchinson* examined.

5251. Where do you reside?—In Thomastown.

5252. You were formerly inspector of weights and measures for the county?—I was, up to last March Assizes. The Constabulary are to perform the duties now, but they have not commenced as yet.

5253. Then for all that time there was no inspection?—No; a very unwholesome state of things.

5254. Did you detect many frauds?—Among the small dealers a good many, but not many among the merchant class.

5255. Did you inspect the beams?—Yes; most particularly.

5256. Did you ever hear of any frauds among the merchants?—I did; but I think they were exaggerated.

5257. Do you think the system of private weighing offers facilities for fraud?—I think if a man chooses to be dishonest, of course he can rob. I knew an instance at Innistiogue, a village a few miles from this, where a police sergeant told me a glaring case of fraud, by a false beam, but I was not inspector at the time. In Pilltown, while Mr. Bake was inspector, there was a buyer who used to put his wife into the scales against nine stone, as he had not weights at the time, and he said she was exactly that weight. He asked me if I would have any objection, and I said not, provided she were stamped. I showed her the process of stamping, and she said she would not allow it, and that she would never let him put her into the scales again, since that was the case.

5258. Do you suppose she was the correct weight?—I did not try her. I suppose she was.

466.
Mr. E. Hutchinson.

5259. Would you be in favour of a general market?—I would be in favour of any thing which would create a crowd, and bring people together.

5260. Do you think the farmers would object to pay a small toll to support such a market?—They might object to pay. I know they would like to receive any thing that might be going. I think if a market were established it would serve the town very much, and I think many parties would be induced to come here, who now do business at other places.

5261. Would you be in favour of an assimilation of weights?—I think it would be a great advantage. It is a great absurdity to have such a state of things as at present.

5262. Can you form any idea of how the duties of inspecting weights will be performed by the police?—I think much better than they were. The police will be always on the spot.

5263. Do you know any thing of the Corporation property here?—There was a chart of incorporation given to this town by the kings of England, and it fell into the hands of the Clifton family, who returned two members to the Irish Parliament for the borough, and among other changes, a man named Davis became portreve of the town, and leased the Corporation property from Lord Clifton, who was lord of the soil here.

5264. But the portreve had no power of keeping the property?—But he took the power, that is what we complain of. He got possession of the property, and he remained sovereign, and took all the tolls and every thing else; and the present Mr. Davis, his son, became portreve, and took all the tolls and set them to Lord Carrick. The river was then navigable, and Thomastown was a very important place, and there were a great many respectable factories there, breweries, distilleries, and malt-houses. Mr. Davis stopped up the navigation of the river, and now you cannot get an inch beyond Innistiogue, and vessels can no longer come up to the quay. There was a house belonging to the town, a town-hall, as it is called, which is now in the possession of Mr. Davis, and he holds every inch of the property of Thomastown; and if the inhabitants ask him for it, he will tell them to go to the d——l, well knowing that there is not a shilling to go to law with.

5265. But he should show his right?—How could he show what he has not. At one time we were disposed to try it at law, but the famine came on the country, and it went out of the people's minds. The Board of Guardians could recover it if they liked, but they will not expend the funds upon it.

5266. What have the Board of Guardians to do with it?—The Municipal Act provides that where the Corporation will not take up the property, it shall be put to the benefit of the rates.

5267. What is Mr. Davis supposed to receive of the corporate property?—£300 a year.

5268. Does he pay rent to any one?—Not a fraction. He brought an action against those who were trying to get the navigation of the river restored for injuring his mill; and the judge on the bench said he had no title but the market possession. He got three half-pence damages. It was a mill belonging to the Corporation of Thomastown, and the people living there came to request that he would allow boats to come up to Thomastown. He replied, and ended by bringing the action. Now, with regard to the tolls and customs, they are levied in a most objectionable way. Lord Carrick took them from Mr. Davis to relieve the people of them, but he allows them to be still collected. People are sworn, with the most fearful imprecations, to prove whether they have sold their cattle.

Mr. *Jeremiah Murphy* examined.

467.
Mr. Jer. Murphy.

5269. Do you live in this town?—I do.

5270. What is your occupation?—I am a grocer, and I have a public weigh-bridge, which I got up myself.

5271. What do you charge for weighing?—I charge 4*d.* a load, and if the load were four tons I charge only that, and I charge some people but 2*d.* or 3*d.*

5272. Do you give a ticket?—I do.

5273. And tare the cart afterwards?—Yes.

5274. Is it quite optional to weigh with you?—Certainly.

5275. Does it produce a large revenue?—No, indeed, not as much as would pay a man if I were obliged to employ one.

5276. What are the tolls levied at the fairs here?—A load of cabbage pays 6*d.* by the owner, for a stand in the market, and if the owner retails them out to 100 persons there is a separate charge for each quantity on going out; it is the same way with a kish of onions.

5277. Does every article pay twice?—Yes; it is the same way with wooden-ware, and earthen-ware, and every thing else. For every single article there is the same double charge made, which prevents people coming into the town, and leaves it neglected as it is.

5278. Would you be in favour of a general market?—Certainly.

5279. You consider the farmers would not object to pay a small toll, just sufficient to cover the expense of proper accommodation?—I think they would not. I endeavoured to get a few more of the respectable traders to join me in taking the tolls from Lord Carrick, and give it free to the public, bearing our proportion of the loss.

5280. Are the people put to their oaths here at the fairs?—They are put to their consciences.

5281. Are all the tolls levied under Mr. Reed?—They are.

5282. I see here by the toll board that a cow pays 6*d.* toll; a horse, 1*d.*; a stone of wool, 2*d.*; a lamb or a goat, 1*d.*; standings, from 4*d.* to 6*d.*; a pig 2*d.*; a cart of cabbage, ½*d.*; copper-ware, 2*d.*; are these the charges?—I believe they are.

THOMASTOWN, 11*th December*, 1852.

468.

Mr. Hutchinson.

Mr. *Hutchinson* examined.

5283. Are there Town Commissioners here?—An order came from the Lord Lieutenant that Commissioners should be appointed, and by absolute force they were appointed; the portreve got up opposition to it, and attended here with Counsellor Bracken of Kilkenny, and did every thing he could to browbeat the people from taking any part in it; but the shopkeepers, feeling that their interest was at stake, came forward, and the Lord Lieutenant sanctioned the appointment of every man sent up. We thought there was nothing to be done but to have the town cleansed and lighted; but it was all knocked on the head; they would not get the market-house, nor the tolls and customs.

5284. How were the Town Commissioners elected?—We had the limits of the borough struck out under the Act; we went precisely in accordance with the Act of Parliament, as directed by the Chief Secretary and the Attorney-General.

5285. Are they now a legally constituted body?—Most decidedly.

5286. Have they been re-elected every three years?—No, they have not.

KILKENNY, 13*th December*, 1852.

469.

Patrick Waters, esq.

Kilkenny, December 13, 1852.

Patrick Waters, esq., examined.

5287. Do you reside in Kilkenny?—I do.

5288. What is your profession?—I am Town Clerk of this city, and also Clerk of the Peace.

5289. Under what patent or authority are the markets in Kilkenny held?—Under a charter of James I., which has been the governing charter of Kilkenny.

5290. The 7th of James I.?—Yes; that charter appointed three market days, to be held—on Tuesday, Wednesday, and Saturday, weekly, for ever.

5291. How many fairs?—Three fairs, each of which was to be held for three days: the first upon the vigil and feast of St. Canice, abbot, and the day next following; the second upon the vigil and feast of St. Patrick, and the day next following; and the third upon the vigil and nativity of St. John the Baptist, and the day following, with a *pie poudre* court, and all revenues and emoluments levied there. There was a subsequent charter granted by James II.; but it was abandoned after two or three years, and the Corporation—that is, the old Corporation—fell back upon the charter of James I. The charter of James II. granted four fairs; the market days were the same: Tuesday, Wednesday, and Saturday.

5292. Four additional fairs?—Not altogether additional; one was upon the feast of St. Patrick, the 17th of March; one upon St. John the Baptist's day; one upon Corpus Christi; and one upon the feast of St. Canice; and for another day following each of these days; each was held two days; whereas by the charter of James I. each was held three days.

5293. Are these fairs held now?—They are not. Of the ancient fairs there have been held for many years only two—one upon the 28th of March, and the other on Corpus Christi. But within the last few years the old Corporation, immediately before going out, and the present Corporation, got some new patents for four fairs, which were to be held in a part of the town called St. John's Green, upon the 15th of February, 16th of May, 23rd of September, and 10th of November. The present Corporation, in the year 1846, obtained a patent for holding monthly fairs upon the first Thursday in every month, which are now held, so that the fairs now are, the monthly fairs, the four fairs held in St. John's Green, and the two ancient fairs upon the 28th of March and Corpus Christi.

5294. Eighteen in all?—Yes, all of which I am cognizant. There is a pig fair held in a place called Butt's Green; but these are all of which I am officially cognizant.

5295. The Corporation are the proprietors of all the fairs and markets?—They are.

5296. No private proprietors?—None.

5297. Are tolls levied at the fairs or markets at present?—Not at present.

5298. Were they ever levied?—They were; but they were discontinued about the year 1826.

5299. By the old Corporation?—Yes; and they have not been collected since.

5300. For what cause were they discontinued?—There was always great opposition, and a great deal of dissatisfaction felt about them, and many persons were endeavouring to sell their corn outside the walls, in order to evade them, and the Corporation thought it better to discontinue them. They did not realize much—only about £20 or £30 a-year. Customs, however, continued to be taken up to a late period.

5301. What is the distinction between them?—Tolls were taken in kind, so much out of a barrel of corn; but customs were a pecuniary charge.

5302. Were they collected together?—They were.

5303. Upon the same article?—Tolls related to corn; customs to cattle and other kinds of merchandize.

5304. When were customs abandoned?—In the year 1840.

5305. Were the tolls ever the subject of legal proceedings?—They were; but it was before my time, and I am not aware what conclusion was come to.

5306. Then there is no revenue derived now from fairs or markets?—None.

5307. What are the market days at present?—Wednesdays and Saturdays; we have given up the Tuesday's market; but of course agricultural produce is sold every day about the streets, and at the establishments of private merchants.

KILKENNY, 13th December, 1852.

469.

Patrick Waters, esq.

5308. What public markets are there?—None.

5309. Is there a public market-house?—No more than that the place under the old Tholsel is considered a market.

5310. Is there no potato market?—None, except the streets.

5311. All sales take place in the streets?—Yes; there is a small place for vegetables, fowl, and fish, but it is not enclosed.

5312. I suppose all articles are weighed at the private stores?—They are weighed wherever the parties choose.

5313. Are there any public beams or scales?—None, except the scales for weighing potatoes, the property of the Corporation.

5314. Is there a weighmaster employed?—There is a person who superintends the weighing.

5315. Does he receive a charge for weighing?—I believe he receives some trifle.

5316. Are there any officers connected with the market in the employment of the Corporation?—The Mayor, by the old charter, is clerk of the markets.

5317. Has he a deputy?—No.

5318. Have you no sworn weighmaster?—There was a weighmaster appointed by the old Corporation, and he had a place where he weighed some things—chiefly butter and bacon, I believe.

5319. Is he recognized by the present Corporation?—He must be recognized in so far as the old Corporation preserved the appointment, and he cannot be removed.

5320. Was he appointed general weighmaster for the town, under the 4th of Anne, c. 14?—I think the Act under which he was appointed was the 52nd George III., c. 134.

5321. That Act refers entirely to the butter-market?—A weighmaster has, for a great number of years, been appointed in this town. I could go back as far as the year 1726; and from that up to the present day there has been a weighmaster. I think, now, it must have been under the Act of Anne he was appointed.

5322. Are you alluding to the weighmaster who holds the butter crane in King-street?—Yes, I am; and I believe there is nothing now but butter weighed there.

5323. Where are the fairs held?—With the exception of the St. John's Green fairs, they are held, generally, through the city.

5324. Is there an enclosed fair-green?—No, not enclosed; it is a large open space, with cabins around it—in fact, a thoroughfare.

5325. Then the fairs are held in the public streets?—They are.

5326. Under the present system, I suppose, it would be impossible to obtain correct statistics of the agricultural produce, or cattle sold about the town?—I should think so.

5327. What did the tolls and customs produce formerly?—About £280 a year at the time they were abolished.

5328. Were they rented?—Previous to that they were rented, and then they produced nearly double that amount. In 1817 they were let for £580; in 1816, for £500; in 1815, for £500; in 1814, £550; and in 1813, £590. They were not at that, I can find, since the year from the 29th of September, 1817, to the 29th of September, 1818.

5329. Is all agricultural produce here sold about the streets?—In the streets, and at the merchants' private stores.

5330. And potatoes in the same way?—Yes, in the streets.

5331. Is there a butter-market?—No; the weighmaster weighs, but does not inspect it.

5332. Is it a private market, which might be closed to-morrow?—No, I consider it a public market; the weighmaster is appointed by the Corporation, and I consider he is bound to keep it open.

5333. Was there ever a butter-market held under the 52nd of George III.?—There was, in Irishtown, where there was a separate Corporation formerly, and where there was a butter-market and a butter-taster.

5334. Is the present market under the control of the Corporation?—It is not.

5335. Is the house the property of the Corporation?—It is not. The present Corporation went to some expense in getting up a butter-market; and I believe the fact was, the people did not bring their butter to that market.

5336. Is holding the fairs and markets in the streets considered to be an inconvenience?—To private citizens I should say it is; but, I believe, people in business consider it an advantage.

5337. Would not a market in a convenient locality possess the same advantage?—I think it would; but I believe, from what I have heard, that the people in business here would prefer having the fairs held in the streets.

5338. But are not the streets blocked up?—They are, of course; persons cannot conveniently walk through them. In fact, some private individuals will not stir out upon a fair-day.

5339. Have you ever heard any complaints of the system of weighing in private?—I have not, myself, directly heard them; but I should imagine that there are complaints.

5340. You consider the system objectionable?—I consider it most objectionable.

5341. Have the Corporation private property?—They have, in land and houses.

5342. Is any of it devoted to market purposes?—No; except that the Corporation pay rent for the vegetable market to the representatives of the late Dr. Alcock, £40 a year.

5343. Was he the proprietor?—A portion of it was originally set by the Corporation to him, and he having the adjoining property, reset it to them, together with some additional property.

KILKENNY, 13th *December*, 1852.

469.

Patrick Waters, esq.

5344. Does the market produce any revenue?—I believe it does not pay the rent.

5345. It is let out in standings, I suppose?—Yes; people going in there pay some trifle for accommodation.

5346. Is it compulsory upon them to make use of it?—Latterly the Mayor insisted upon parties going in there, very much to their dissatisfaction.

5347. Is the accommodation sufficiently large?—I think so.

5348. What rent did Dr. Alcock pay to the late Corporation?—I thing 6*d.* a year; but I would wish to observe that the part he set back was much more considerable than the part set to him.

5349. When was that lease executed?—About 1810.

5350. When did the Corporation retake it from him?—I think about 1840.

5351. Did he lay out any money in buildings on it?—Oh, yes; he intended to fit it up for butchers' shambles; and he did, in fact, expend money upon it.

5352. What are the charges in that market now?—I believe they fluctuate. I do not think there is any standard. It is undergoing some alteration at present. There is a market jury sworn here at every assizes, with very large powers to inspect victuals and provisions. There is, also, an inspector of weights and measures appointed by the Grand Jury.

5353. How have the new fairs succeeded?—Very well, indeed. The monthly fairs since 1846 have succeeded uncommonly well. The last monthly fair here was very nearly as large as what are called the great cattle fairs.

5354. Would you be in favour of a general market, where all agricultural produce would be sold and weighed under the superintendence of a sworn weighmaster?—Decidedly; I think it would be a great advantage to the town.

5355. Do you think the merchants, generally, would object to buy in such a market?—Well, I do not think they could do so with any fairness.

5356. Would you be in favour of an assimilation of weights and measures all over the country?—I think it would be a great advantage.

5357. You would only be in favour of such a toll as would support a market of the kind respectably?—Yes; I think that would be just fair.

5358. Would it not be one great advantage, that at such a market you could obtain statistical returns of the quantity sold, and the average price, which, at present, would be impossible?—Indeed it would.

5359. Are there many stores in the town?—There are a great number.

5360. How many buyers are there?—I suppose between fifty and sixty.

5361. Are there people called sky-farmers employed here?—There are; they are called here penny-buyers. In my own memory I remember, that if a person wanted to buy a sack of oats, he could get it at the Tholsel, which is not to be got now. I hand you, as a matter of curiosity, the old schedule of tolls levied formerly.

A Table of the Murage, Tolls, and Customs

Demanded and taken, time immemorial, by the Mayor and Citizens of the City of Kilkenny, for all Cattle, Goods, Wares, and Merchandizes, bought or sold in, or brought into the said city to be consumed or slaughtered, by foreigners, and usually collected at the gates of said city.

	s.	*d.*
For each horse-load of timber of any kind,	0	3
For every horse-load of coals, . .	0	1
For every horse-load of fresh or shell fish, of all kinds whatsoever, to the Mayor and citizens, ...	0	3
And to the Recorder for the same, .	0	3
For each horse-load of bread, . .	0	1
For every car-load of dry or salt fish, .	0	6
And for a lesser quantity of dry or salt fish, ...	0	3
For every barrel of salted herrings, and in proportion for a lesser quantity, .	0	1½
For every single salmon, a halfpenny to the Mayor and citizens, and the like to the Recorder, and if more than two and no more than four, a penny to the Mayor and citizens, and a penny to the Recorder—a greater quantity to be reputed a load.		
For every load of slates, hay, or straw, .	0	1
For every hundred-weight of butter, and in proportion for greater or lesser quantities, ...	0	1
For every basket of fresh butter, one penny; and for every ten pounds, and for a lesser quantity, a halfpenny.		
For every load of cheese, feathers, bark, wool, fruit, and flocks, . .	0	3
And for a lesser quantity . .	0	2
For every fresh or raw hide, . .	0	1
For every beef's tallow, raw, . .	0	1
For every calf skin, sheep skin, or three lamb skins, ...	0	0½
For every barrel of wheat, one penny custom, and a toll in kind of a bowl containing 4 lb. 4 oz. weight, and so in proportion for any lesser quantity.		
For every barrel of meal, one penny custom, and a toll in kind of a bowl, containing 3 lbs. 4 oz. weight, and so in proportion for every lesser quantity.		
For every barrel of barley, one penny custom, and a toll in kind of a bowl, containing 3 lbs. weight, and so in proportion for every lesser quantity.		
For every barrel of oats, one penny custom, and a toll in kind of a bowl, containing 2 lbs. 13 oz. weight, and so in proportion for every lesser quantity.		
For every barrel of malt, one penny custom, and a toll in kind of a bowl, containing 2 lbs. 6½ oz. weight, and so in proportion for every lesser quantity.		
For every barrel of potatoes, . .	0	1
For all small bags less than a barrel, and not less than a peck, . . .	0	0½
For every large basket of fruit, .	0	1
Fer every churn and load of sour milk, .	0	1
For every horse-load of turnips, and other garden herbs and vegetables, . .	0	2
For every rugg, caddow, or pair of blankets, ...	0	1

KILKENNY, 13th December, 1852.

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Patrick Waters, esq.

	s.	d.
If more than one,	0	3
For every load of merchants' goods, coming into this town by carriage,	0	3
And all under,	0	2
For every pedlar's pack, or box of merchants' goods, brought to town for sale,	0	2
For every basket of live fowl, exceeding twelve chickens, six cocks or hens, two turkeys or geese, and not amounting to the quantity of a kish,	0	1
For a kish of fowl or rabbits,	0	3
For every carcase of beef or mutton,	0	1
For every horse-load of beef or mutton,	0	3
For every load of brogues,	0	1
For every calf or pig, when sold,	0	1
For every lamb or kid,	0	0½
For every live ox, cow, steer, or bullock, when sold,	0	3
For every waterman, towards the repair of the slip, quarterly,	1	0
For every showman, before he be licensed by the Mayor,	21	0
For honey, per pottle, a halfpenny, and so in proportion for a greater or lesser quantity.		
Each butcher to pay annually to the custom-man a stone of tallow, as usual.		
For every load of hay or straw,	0	1

The following Customs are demanded and taken from the Hawkers, and for Standings in the Markets of said City.

	s.	d.
For the standing of every brogue-maker,	0	3
For each hawker of brogues,	0	2
From every hawker and pedlar, being an inhabitant, over and above what he pays at the gates, whether he has a standing erected or not,	0	1
And for such who are not inhabitants,	0	2
For every standing for meal, butter, bread, salt, fruit, and hats,	0	1
For every butcher's standing, over and above gateage and other dues,	0	3
For all game publicly exposed for sale,	1	0

Customs of the Fairs.

	s.	d.
For every booth or tent, for selling ale or merchandize,	0	6
For hawkers of goods having no standings,	0	3
For every ox, bull, cow, horse, or other beast bought or sold,	0	3
For every sheep, pig, yearling calf or goat, when sold,	0	1
For every lamb or kid,	0	0½
For every two-year-old calf,	0	1½

John Potter, esq., examined.

470.

John Potter, esq.

5362. Do you reside in this town?—I do.

5363. You are mayor elect, I believe?—I am.

5364. Are you in the corn trade?—I am.

5365. The corn you buy, do you buy it at your own stores, or in the streets?—At my own stores. The farmers bring the loads of corn to the most convenient place in the street, and they go with the people who are called penny buyers, to the stores of the different merchants with samples.

5366. The transactions between the merchant and the farmer do not take place direct?—In some cases they take place direct, but much more through the penny buyers, because the farmer cannot escape them.

5367. How do they meet the farmers?—They meet them coming into town, and take the sample from them, often against their will. They persuade the farmers to go to whatever place they are best paid in, or whatever is most convenient.

5368. By whom are they paid?—By the buyers; but I think some of them, whenever they can, will take money from the sellers. I have seen them generally working against the buyers when the samples are brought.

5369. Do you consider that it would be well to get rid of that class of people?—Indeed I do I would prefer a market open to all buyers and sellers, although it would be my own interest not to have it so, because I have stores here in the centre of the market.

5370. Do you weigh the corn at your own stores?—I do.

5371. What is your system of weighing?—I weigh in sacks, standing beam.

5372. What is your smallest weight?—One pound.

5373. Do you weigh to the pound?—I do.

5374. What do you deduct for beamage?—Four pounds to the barrel upon every description of corn, twenty stone of wheat, sixteen stone of barley, and fourteen stone of oats.

5375. Do you deduct the actual tare of the sack?—Yes.

5376. Do you pay for odd pounds?—I do.

5377. Is that the custom of the town?—It is.

5378. Is the system you describe the general system of the market?—It is, with respectable buyers. I think; but there is a class of dealers of whom I often hear complaints, whether well founded or not.

5379. Do you consider that the system of weighing in private is objectionable, as offering facilities to any person who chooses to commit fraud?—I think, as a general rule, it is, because it injures the market very much when the seller has not confidence in the buyer; and if one or two act unfairly, it injures the whole market.

5380. In fact, under the present system, persons of no character, and without scruples, could defraud the farmer?—With the greatest ease, unless the farmer had weighed his corn before.

5381. If a person were not scrupulous in weighing he could afford to give a higher price than you?—Much higher, of course.

5382. Would you be in favour of a general market, in a convenient locality, with sufficient

KILKENNY, 13*th December*, 1852.

470.

John Potter, esq.

Referred to in the Report, p. 24, as Q. 5206.

accommodation, and under the superintendence of sworn weighmasters, and obliging all agricultural produce to be weighed and sold there?—I would. I think by the present system great injury is done both to the buyer and the seller. I think it would be a protection to the honest buyer and the seller.

5383. Would you be in favour of an assimilation of weights and measures all over the country?—I would.

5384. Would you think it a good plan to sell everywhere by the stone of fourteen pounds?—I think it is more simple to sell by the barrel, and you can give a close price.

5385. There would be nothing to prevent you from going to an eighth?—Buyers would be rather inclined to avoid it in making up their accounts.

5386. It would be made up in a public market by the clerk. Would you be in favour of weighing everywhere standing beam, with one pound weight, as you do, and abolishing all deductions of beamage, leaving the buyer to regulate his prices accordingly?—I think it would be more simple not to have any beamage.

5387. Is not the system of making these deductions an encouragement to parties to bring in their corn in a slovenly state?—I do not think it has that effect. I think some parties would bring in their corn in a careless way in any case.

5388. But if it is brought in in the cleanest possible state, you still deduct the beamage?—Yes; there is one beamage for all.

5389. Do you deduct beamage upon the net weight of the corn, or upon the weight of the corn and the bags?—Upon the gross weight.

5390. So that the bags pay beamage also?—Yes.

5391. Would it not be very desirable to obtain correct statistical returns in a general market?—It would be very useful. This town has been very backward for want of a public market; being in a worse situation than other towns, it has suffered by that reason.

5392. Do you think the charge should be only sufficient to provide proper accommodation?—I think so. It would be impossible to have well-regulated markets unless you had proper persons to superintend them.

5393. Do you think the farmers would not gladly pay a small toll to get such accommodation?—I have no doubt they would.

5394. Have you any thing to do with the fairs?—No; except that I know the new fairs have succeeded beyond the highest expectation; and when the Corporation were establishing these fairs, they went to very great trouble and expense, and got all the information they could acquire from the merchants and the sellers; and from that information it was considered desirable to have the fairs in the town, because there are four other fairs held in the suburbs of the town.

5395. But provided it was in a convenient locality, would it not be better, as a principle, to have every fair held in a proper fair-green, instead of on the highway?—I think it would be better for the people having business concerns in the town that they should be held there.

5396. But there are other people besides those, and do you not consider it a great inconvenience to the public?—It has not been complained of. The people in the centre of the town pay the highest rent, and they should, I think, be accommodated.

5397. Would it not be an advantage, that in a proper fair-green you could see the whole fair at a glance, instead of having, as in some places, to go a mile from one place to the other?—It would; but I know there is a prejudice against removing either markets or fairs.

471.

Mr. John Callanan.

Mr. *John Callanan* examined.

5398. Where do you reside?—In Kilkenny.

5399. You keep a hotel?—Yes.

5400. Do you buy corn?—I do.

5401. Where do you buy it?—It generally is brought into me by the penny buyers, and weighed in my yard.

5402. What is your system of weighing?—I never weigh less than seven pounds down weight, and no beamage.

5403. Do you require the sack to strike the ground?—I do.

5404. If there were seven pounds half way down would you throw it out?—Not if it went down at all; if it turns at all I do not throw it out.

5405. But if there were seven pounds standing beam would you throw it out?—Yes, I would.

5406. Then you take seven pounds beamage instead of four pounds?—If parties wish me to weigh with small weights I would do it. I think it all comes to the very same thing, it would not make 2*d.* difference in ten barrels.

5407. Do you buy corn for Mr. Bianconi?—I do.

5408. What quantity do you buy in the course of the year?—I think about £2,000 worth.

5409. Would you be in favour of a general market?—I would; and in favour of standing beam, and no beamage, and weighing to the pound.

5410 If a person choose to act fraudulently, there is no check upon him by the present system?—Not unless the inspector of weights and measures catches him, there is no check in the world.

5411. Would you be in favour of an assimilation of weights and measures?—I would; the simpler things are the better.

5412. Do you think the farmer would object to pay a small toll, just sufficient to support such a market?—I do not think they would object; I am sure it would be for their good.

KILKENNY,
19th December, 1852.

Mr. *Patrick Shea* examined.

472.
Mr. Patrick Shea.

5413. Do you buy corn largely in this town?—I do.
5414. Do you make use of penny buyers?—I do.
5415. Do you pay them?—Yes.
5416. Are they also paid by the farmer?—Scarcely in one case out of a hundred.
5417. Do you deduct it from the farmer?—No.
5418. I suppose you take it into calculation in fixing the prices?—No; I think the farmer loses nothing by it.
5419. Do you weigh at your own stores?—I do.
5420. Do you weigh in the same manner as Mr. Potter has described?—I do.
5421. Do you deduct beamage both upon the corn and upon the sack?—I do; that is the custom of the town.
5422. Do you make any charge to the farmer for weighing or porterage?—No.
5423. Would you be in favour of a general market?—I think it would be a great inconvenience to the city.
5424. Why?—Because we have regular corn stores established and men employed, and a large supply of corn coming here on Fridays and Saturdays; and I am certain that if the corn on Saturday were brought to a general market to be weighed, it would not be finished in three days.
5425. Is this market as large as Cork?—I do not know; I never was in Cork.
5426. They weigh all the corn there in a few hours. What check is there upon the buyer if he chooses to defraud the farmer?—No check at present.
5427. Might not the farmer lose a great deal, and the weight be quite correct?—Well, he might; but I have seen more fraud practised in a public market than would be in Kilkenny in six months. I have seen the weighmaster cheating the farmer.
5428. But a dishonest weighmaster has nothing to do with the system. Then you would not be in favour of a general market?—I think several largely in the trade would be greatly opposed to it.
5429. Although weighing may be very fair to the eye of the farmer, the person entering the quantity may be playing a trick?—He may.
5430. Did you ever hear of any frauds in private weighing?—I have heard of them, but never saw any.
5431. Do you think it would be an advantage, instead of employing penny buyers hawking the corn about, for buyers and sellers to meet at a certain hour, a bell to ring, and business to begin; would it not create competition?—There is enough of competition as it is.
5432. Would you be in favour of an assimilation of weights and measures all over the country?—I think the present system seems to please every one; but I would have no objection.
5433. Would you be in favour of abolishing beamage?—It would be no loss to the buyer.
5434. But would you be in favour of it?—I would have no objection.

Richard Sullivan, esq., examined.

473.
Rich. Sullivan, esq.

5435. I believe you are a magistrate for the city?—I am.
5436. Are you in the corn trade?—I am.
5437. Do you buy largely?—Pretty largely.
5438. Do you buy about the streets and at your own stores?—Yes, by sample.
5439. Is your system of weighing the same as Mr. Potter has described?—I weigh standing beam, just a turn, weigh to the pound, and deduct four pounds beamage on the barrel of every kind of grain,
5440. And the actual tare of the empty sack?—Yes.
5441. Do you pay for odd pounds?—Certainly.
5442. You do not deduct beamage on the sack?—No; the weight of the sack is first deducted, and then four pounds to the barrel.
5443. That is not the system we have heard mentioned before?—That is what I practise.
5444. Would you be in favour of a general market?—I think, if practicable, it would be beneficial.
5445. Would it not be a protection to the farmer and to the honest trader?—Decidedly.
5446. Would you be in favour of an assimilation of weights and measures?—Certainly; I have been examined upon that subject before in a very high court, and I gave that as my opinion.
5447. And an uniform system of weighing to the pound, standing beam, abolishing all deductions, and regulating prices accordingly?—The custom before beamage was agreed upon, was to weigh with what was called the fall of the beam, which was subject to a great deal of fraud; because, sometimes, when three or four pounds would bring the side in which the corn weighed to the ground, probably seven pounds, according to the caprice of the person at the scales were required.
5448. Would it not be better to abolish beamage altogether, and call things by their right names?—I think it would.
5449. Would it not be a great advantage, that in a public market, we could get the proper statistics of the country?—For statistical purposes it would certainly be very useful, and indeed for the general purposes of trade.
5450. Do you know of any frauds committed upon the farmers?—Certainly, I do.

KILKENNY, 13*th December*, 1852.

473.
Rich. Sullivan, esq.

5451. Did you ever hear complaints of the system of private weighing?—An occurrence took place within the last few days, in which wheat was sold by a certain party—I do not know exactly the quantity, but it was not large, a few barrels only; the seller and the buyer differed, and the corn was brought to my store, and on the quantity there was an increase of five stone.

5452. There is no check, in fact?—None, but the vigilance of the seller. In the case I mentioned, it was a woman who accompanied the corn, and she was judicious enough to take the weight down. On that weight there was an increase, in my place, of five stone. There is a sort of legerdemain in handling the scales.

474.
Mr. T. Little.

Mr. *Theophilus Little* examined.

5453. Where do you reside?—About two and a-half miles from this town.

5454. Are you a farmer?—Yes.

5455. How many acres of land do you hold?—About 300 acres.

5456. Do you sell in this town?—I do.

5457. Would you, as a farmer, be in favour of such a general market as has been described?—I would.

5458. Would you object to pay a reasonable charge for such a market?—I would not.

5459. Would you be in favour of a uniform system of dealing over the whole country in weights and measures?—I would.

5460. Would you approve of abolishing beamage, and weighing standing beam to the pound?—I would; I consider beamage a great nuisance.

5461. Do you consider the system of weighing in private stores objectionable?—I do.

5462. Do you think farmers in general would be in favour of a public market?—Indeed I think they would.

5463. Did you ever hear of frauds practised in private weighing?—I did; I heard many of the farmers say they did not get good weight; I often sold in private myself, and I think I got fair dealing.

5464. But you object to the system?—I do.

5465. Would you prefer an enclosed fair-green, in a convenient place, to the public streets?—I would; and I think it a great hardship to both buyer and seller to have the fair as it is in this town. The place is so thronged, you have hardly room to stir, and can scarcely mind your commodities.

5466. Do you sell butter?—I do.

5467. Is it inspected where you sell it?—It is, at Mr. Smithwick's.

5468. The whole transaction takes place in private?—It does.

5469. Would you be in favour of a public market, and have the inspection done by a sworn taster and weighmaster?—Decidedly.

5470. Is it by weight or lump you sell?—So much a hundred-weight, and four pounds taken off every six stone, and 10*d.* cooperage.

5471. Is there any charge for weighing and inspecting?—No.

5472. Is the classification of the butter satisfactory to the farmer in all cases?—I think good butter always gets its merits.

5473. But does not the buyer decide every thing?—He does; but the farmer is well aware of what he has a right to get.

5474. When it is second quality, what charge does the buyer make?—He generally takes off 10*s.* a hundred-weight difference, or 5*s.* a hundred-weight, according as they agree.

5475. Is beamage deducted upon the gross weight?—It is.

5476. Would it not be much better to abolish all deductions, buy according to quality, and let the whole transaction take place in a public market?—I think it would be much better.

5477. Are you aware of any frauds having been practised by the buyers at their private stores, either in inspecting or weighing?—I am not.

5478. Have you ever known any difference between the inspection of different persons, one person marking the butter second quality, while another marks it first?—I have seen such instances.

5479. Do you consider that the way in which the butter market is conducted at Kilkenny is injurious to it?—I never heard any complaints, except beamage and cooperage.

5480. But do not people go elsewhere, who would come here if there were a general market?—I went to other places myself, because I was not paid for overweight; but since the new Corporation came in, I am paid for them. If the quantity was more than three quarters, I was not paid for the overweight.

5481 Is that the system now?—No, we are now paid for every pound.

475.
Mr. Martin Coghlan.

Mr. *Martin Coghlan* examined.

5482. Where do you reside?—At Kilmanagh, near Kilkenny.

5483. Do you farm largely?—Two hundred acres.

5484. Do you sell in this market?—Sometimes; we have to complain of the high beamage charged, which makes us go to other markets. I think it lowers the character of the butter market, and drives us all to Clonmel, Carrick, and Waterford, where there are public markets, and only two pounds beamage and 3*d.* for casks, while we have four pounds beamage and 10*d.* for casks, which makes a difference of 2*s.* 1*d.* on every firkin.

KILKENNY, 13*th December*, 1852.

475.
Mr. Martin Coghlan.

5485. Would you be in favour of a public market, where all the butter would be inspected and weighed before sale?—I think it would be very much to the advantage of the town, and would make it a first-rate butter-market.

5486. Would it not prevent any possibility of suspicion regarding the weighmaster?—I think it would have that effect.

5487. Would you be in favour of a public market for corn and other articles of agricultural produce?—I would.

5488. Would you object to pay a small toll sufficient to support such a market?—No, nor do I think the farmers, generally, would; however, they have not so much to complain as of butter.

5489. Would you be in favour of an assimilation of weights and measures?—Certainly, all over Ireland.

5490. Would you be in favour of abolishing all deductions?—I would.

5491. With regard to fairs, do you think it would be better to hold fairs in the public streets or in an enclosed fair-green?—I think an enclosed fair-green would be a great advantage here. If you have a lot of cattle here when the drivers are driving out large stocks early in the day they make such a tremendous bustle in the town that you would require a great many hands to keep the cattle together. I had seven strippers here three years ago, and there was such a rush that I lost a cow, and never got it since, and lost money in searching for her. If I was a buyer I would not like the street at all, for one cannot see what are bought.

5492. Then, as a farmer, you think sales ought to take place in an enclosed fair-green?—Not the least doubt of it; I think the shopkeepers, except about twenty publicans, would also approve of it. The cattle at the fairs are so wedged together that people have scarcely room to go through.

5493. Would you object to pay a small toll for a standing in a properly enclosed fair-green?—I would not.

5494. Do you think the farmers, generally, would object to it?—I think not.

5495. Do you think the monthly fairs would have been as well established if they had been held in a fair-green?—I cannot say so.

5496. Do you ever find any difference in the qualification of butter by the different buyers?—I do, 10*s.* a hundred-weight.

5497. That arises from the want of a proper market?—It does.

5498. Is there a sufficient quantity of butter made in this neighbourhood to support a public market?—Indeed there is.

Mr. *John Hickey* examined.

476.
Mr. John Hickey.

5499. Are you a farmer?—I am.

5500. Would you be in favour of a general market?—I would.

5501. And have every thing sold and weighed in that market under the superintendence of sworn weighmasters?—Yes, I think it the better way.

5502. Would you prefer having the fairs held where they are in place of being removed to a properly enclosed fair-green?—With regard to my own convenience I would not, but for the general good it would be better. I beg to remark, that if there were a fair-eve held before each of the monthly fairs, as is the case with other fairs, I think it would be a great convenience. In consequence of having no fair-eve at the monthly fairs, pigs, sheep, and cows are all for sale in one day, whereas, if there were a fair-eve, it would be a great convenience, for two reasons—first, if pigs were sold the day before, it would enable parties selling them to lay out the money in stock next day; and second, that if the fair-eve were held there might be a space in another part of the town if people wished to put sheep or other stock there, not to have sheep and cows all together.

Rich. Sullivan, esq.

Richard Sullivan, esq.—The suggestion made now with regard to a fair-eve being held I think very advisable, and it would be very useful. All over the country, where fairs are held, a fair for fat pigs is held the eve before it, and it is a great public convenience, besides, as Mr. Hickey has said, that it supplies the farmers, who want to buy stock with means of coming into the large fairs held the next day. There is only one objection to it—the patent is only for a certain day, the first Thursday in every month; and whether the protection of that patent would extend to sales upon the fair-eve I am not quite clear. Wednesday being the market-day, I should say it would. That being the case, I am decidedly of opinion, from experience and from having consulted, every fair-day, with parties interested in it, that it would be very beneficial to hold a fair-eve for fat pigs.

Mr. *Martin Davis* examined.

477.
Mr. Martin Davis.

5503. Where do you reside?—In John-street, Kilkenny.

5504. Are you a farmer?—I used to farm a great deal, but not much now.

5505. Would you be in favour of a general market?—I would; I think it would be the fairest thing possible.

5506. Do you think the farmers would object to pay a small toll for such a market?—I believe they would not like any change, but when it was for their good they would comply. They would not like to pay any thing bringing revenue to the Corporation. Of course I refer entirely to a market which would merely support itself, and no more. I do not think they would object to that.

KILKENNY, 13th *December*, 1852.

477.

Mr. Martin Davis.

5507. Would you be in favour of assimilating the weights and measures over the whole country, and abolishing beamage?—I would, indeed; I think beamage a great imposition. Whatever a man sells he has a right to be paid for, and particularly in the butter trade. There is a place in this city for selling butter in small parcels of twenty pounds, thirty pounds, and forty pounds, and I do not think there is a greater sink of iniquity in the world than that place. I happened some time ago to be a market juror, and I had to go to that place, and I never saw such imposition. I had to bring two or three parties who weighed the butter there before the mayor. There was a woman who sold what she stated was fourteen pounds of butter, and when the man came to pay her he would only pay for eleven pounds. I brought him before the mayor, and she was proved to be right, and he was made pay the difference. I often saw the men all drunk there, so that it was quite impossible to get any thing weighed. When they get a crock of butter to cut they throw it into a large box, and the poor women cannot make out which is their own.

5508. Then you would be in favour of a general market for the purpose?—I would, indeed. With respect to the manner of selling the firkin of butter, I think it is open to great imposition. I can tell you an occurrence which happened to me a few years ago. I sent two firkins of butter to the market to be sold, and they were sold at Kilkenny, and the firkins taken off and the butter examined in every way, and a price fixed as first quality, and a ticket given by the person who brought it to my man. I did not send for the money until the next day, and when I sent for it I got for answer that I could not be paid the amount, as the butter was only second quality, and I must submit to a reduction of 10*s.* a hundred-weight. I refused to submit to it, and I sent my man for the butter, and he came back and said I would not get it; that I should submit to the decision of the public taster.

5509. Who was the public taster?—I think there was a public taster at the time; a man named Whelan.

5510. Is that many years ago?—I believe six or seven years ago. I would not submit, and I told my man to take over a car, and that I would follow him, and either get the money or the butter. When I was going over I met my man coming back with the butter, and I brought it home. At home there was an old collier loading coals, and when he heard the matter he said, if I intrusted the butter to him he would take it to Castlecomer, and get me more money for it. I gave him the butter, and he took it there, and next day brought me home 76*s.* for it, that was 4*s.* a hundred-weight more than the price originally agreed on in Kilkenny.

5511. To whom was it sold?—To the very same man who bought it in Kilkenny. About five weeks after I happened to go into the gentleman's office for other business, and when I was going away he said he was very sorry there was any difference about the butter. I said it was no matter, and that I had gained by it; that I sent it to Castlecomer by a collier, and got 4*s.* more for it. "Whom did you sell it to?" said he. "To Mr. Such-a-one's man," said I, "of Kilkenny."

5512. Then you would have lost 14*s.* if you had submitted to the cut?—I would.

5513. Would you be in favour of an enclosed fair-green, where a small charge would be paid for standings?—I think it would be a great improvement.

Mr. Potter.

Mr. *Potter* re-examined.—I wish to contradict a mistake in part of my evidence. The weight of the empty bags is deducted first, and the beamage after.

478.

Mr. Daniel Cullen.

Mr. *Daniel Cullen* examined.

5514. You are Mayor of Kilkenny?—I am.

5515. Would you be in favour of a general market?—I would, for corn and butter, and all agricultural produce.

5516. Under a sworn weighmaster?—Yes.

5517. And oblige all agricultural produce to be sold there?—Yes.

5518. Do you think the farmers, generally, would object to pay a sufficient toll to keep up such a market respectably?—I think they would not.

5519. Would you be in favour of an assimilation of weights and measures?—Certainly.

5520. Weighing standing beam to the pound, and abolishing all deductions?—Certainly.

5521. Would you be in favour of having the fairs removed to a public enclosed fair-green?—There is a great deal of difference upon that point. An enclosed place would be preferable for a great many reasons, but if the establishment of new fairs had been left to an enclosed place, I think we would never see them.

5522. But now that they are established would you be in favour of having them removed to an enclosed fair-green in a convenient locality?—If it were sufficiently near; but I think if there were some arrangements come to, by which the other markets would be separated from them, the inconvenience now complained of would not be felt so much.

5523. As a general rule, do you think the public street a proper place to hold sales?—The answer I gave first will apply to that—if a convenient place were got, an enclosed fair would be preferable.

479.

Mr. H. Macreary.

Mr. *Henry Macreary* examined.

5524. Do you reside in Kilkenny?—Yes, near Kilkenny.

5525. What is your occupation?—I am a solicitor, and I am weighmaster, appointed by the old Corporation, in 1841.

5526. Under what Act of Parliament?—I do not know.

5527. Did you receive a legal appointment?—Yes; at a public meeting of the Corporation. My father was the former weighmaster.

5528. Did he receive any compensation from Government?—I do not think he did.

5529. Who was the person appointed under the 52nd George III., who received compensation in 1829?—A person named John Whelan, who was appointed by the Corporation of Irishtown, a totally distinct and separate body from the Corporation of Kilkenny.

5530. During the time your father held the appointment was there any other weighmaster in Kilkenny?—There was not.

5531. Was it only to the butter market you were appointed?—I conclude it was only to the butter market; I never exercised, nor did my father, any other privileges.

5532. Is the butter market private property?—The buildings on it are private property.

5533. Was there any scale of charges laid down by the Corporation?—No; but there was a scale posted up in the crane, which was the scale I followed.

5534. Who fixed them?—I should suppose my father did.

5535. What were these charges?—Three pence for thirty pounds of butter; 2*d.* for ten pounds; 1½*d.* for nine pounds; 1*d.* for three pounds; and ½*d.* for two pounds.

5536. Is it a charge for inspecting or weighing?—For weighing.

5537. Is it quite voluntary to make use of the market?—Quite voluntary.

5538. Are there any firkins sold there?—None; if butter is sold by weight outside the market, I have the power of summoning the parties before the mayor and fining them half-a-crown.

5539. Yes; but if you are continued under the 52nd Geo. III., you are bound to the charges under it, and you are bound to provide an inspector. By what Act have you the power of summoning parties?—By the 25th Geo. II., c. 15.

5540. Did you take the oath of office?—Yes; I was sworn before the Mayor of Kilkenny, to act fairly.

5541. Was it a written oath?—It was; as well as I can recollect.

5542. Do you perform your duties by deputy?—Yes.

5543. Is the deputy sworn?—He is not; the former deputy was the man of whom Mr. Davis complained. He was summoned before the Mayor, and I investigated the case myself, and found he was wrong, and I dismissed him. No complaints, whatever, have been made against the present man.

5544. May persons sell outside your market and not be obliged to go in?—Certainly.

5545. It is quite voluntary with persons to enter the market?—Certainly.

5546. No one to compel them?—No one.

5547. But you stated that if a party sold outside the weigh-house you would summon him?—I never have done so; but under the provision of the Act of Parliament I have the power.

5548. Is your charge only for weighing?—Only for weighing—not a toll. If they make use of the market, and that a sale comes on, I insist upon them weighing in the scales.

5549. Are there any other articles weighed there besides butter?—Oh, certainly, any article brought in is weighed.

5550. Is there sufficient accommodation?—There are about forty feet by twenty-five. I do not think there is sufficient.

5551. What staff have you got?—Two men; one at the scales and another at the door, to prevent parties who make use of the market from going out without weighing.

5552. If people sell in the street are they forced in?—Certainly not.

5553. Do you give a ticket to the persons weighing?—If they ask it. The buyer and seller are generally both upon the spot.

5554. Do you keep a book?—No.

5555. Then if a person selling butter for his master lost his ticket, and came back next day, you could not give him another?—Certainly not; we keep no record whatever.

5556. If a party bought butter by the lump inside the market, and did not want to weigh, would you compel him?—It is not the custom to buy by the lump; the case never arose, but I should certainly prevent him from going out of the market without weighing the butter.

5557. Were any of your men sworn?—The first man was sworn, who was one of the biggest rogues I ever knew.

5558. Your charges are very high, and I do not know under what authority you levy them. The Act only states ½*d.* for every hundred-weight, and 1*d.* for every draught over. Do you get much to do in the market?—It varies very much; during the summer season there is something, in the winter almost nothing.

5559. Is the house your own property?—Yes; there is a large concern which I rent.

5560. What is your system of weighing?—Standing beam; we weigh to the quarter of a pound, and deduct half a pound on fourteen pounds, that is four pounds on a hundred-weight.

5561. Is that on salt butter?—It is; there is no fresh butter sold there.

5562. What is it for?—It is for brine; there is a great quantity of it in the crocks which the people bring in.

5563. For less than a stone what do you deduct?—Nothing.

5564. Was it by an order of the Corporation in Council you were appointed?—It was; the Town Clerk has the appointment.

5565. Did your appointment give you leave to charge anything you liked?—There was no mention of any thing in it. I was authorized to weigh in the city of Kilkenny, with all the privileges of every other weighmaster.

KILKENNY, 13th *December*, 1852.

479. Mr. H. Macreary.

5566. Is the board you have up legible?—I think so; and the fees are well known.
5567. Where did you get the board with the fees?—It was there before my time.
5568. Do you know by what authority they were originally struck out?—No; I have no means of forming an opinion.

480. Mr. Patrick Blake.

Mr. *Patrick Blake* examined.

5569. Where do you reside?—Four miles from Kilkenny.
5570. What is your occupation?—I am a farmer.
5571. Do you make use of the market?—Occasionally. I beg to say that if any persons are seen outside the butter market by the men at the gate, they are not allowed to go anywhere to weigh the butter, except into the crane.
5572. Then you say it is not voluntary?—It is not.
5573. Does it ever happen that when a great quantity of butter is brought to Kilkenny, the people are obliged to stand across the street opposite the crane?—Certainly, very often.
5574. Could you not sell your butter opposite the market-house?—Not without being forced in. One day I applied to a butcher to weigh for me, and he said he dared not, as he would be summoned if he did.
5575. Is it in a suitable place for a butter market?—I think not.
5576. Is the business well conducted?—It is conducted sometimes well enough, but not always conducted as it ought.
5577. Are the charges reasonable?—I think the charges very high.
5578. Is the beamage unreasonable?—I think the fairest way would be to do away with beamage. I beg to say, that there is a butter market in Castlecomer, which is conducted very irregularly.
5579. Would you be in favour of a general market?—I would, for all kinds of agricultural produce.
5580. Would you, as a farmer, object to pay a small toll?—Not if it would be reasonable, nor I think would any farmer.

481. Mr. John Carroll.

Mr. *John Carroll* examined.

5581. Where do you reside?—Near Kilkenny.
5582. What land do you farm?—One hundred acres.
5583. Would you be in favour of obliging proprietors, who levy tolls, to provide an enclosed fair-green?—I think it would be much better than selling in the public streets; I would be in favour of a public market also; but I have no objection to the Waterford butter market.
5584. Would you be in favour of a general market, such as has been described?—I would, most decidedly.

482. Mr. John Buggett.

Mr. *John Buggett* examined.

5585. Do you reside in Kilkenny?—I do.
5586. Are you aware of the manner of weighing wool?—I am; sixteen pounds make a stone; four pounds beamage is deducted, and eight pounds tret, to every twenty stone

483. Michael Croning.

Michael Croning examined.

5587. What are you?—I am bailiff to the Corporation.
5588. Is there a potato market in the town?—There is.
5589. Where is it held?—Near the Mayor's office.
5590. Is it in the street?—In the street.
5591. Are there any public beams and scales?—There are two.
5592. The property of the Corporation?—Yes.
5593. Is there any charge made for weighing?—There is 1*d.* a bag.
5594. Is there a weighmaster?—There is.
5595. Is he sworn?—He is.
5596. Is the charge for weighing paid to the weighmaster?—It is.
5597. Does he account to the Corporation?—He does not; he has £20 a-year for attending to the scales; and 1*d.* for weighing is given between him and three porters who weigh the potatoes.
5598. Then it is in fact a charge for porterage?—It is.
5599. What is the system of weighing?—Down weight.
5600. Does he weigh less than half a stone?—No.
5601. Then it must be seven pounds down weight or nothing?—It must.
5602. And if it were half way down he would throw it out?—He would.
5603. What would bring the scale from standing beam to down weight?—Three pounds.
5604. Then the seller may lose any thing short of ten pounds?—He may.
5605. What is the barrel of potatoes?—Twenty stone.
5606. What beamage?—One stone to the barrel, for the bag and the dirt.
5607. Does he charge 1*d.* for half a barrel?—No, only $\frac{1}{2}d.$
5608. Does he ever charge more than 1*d.*?—Not more.
5609. Is the farmer obliged to go there?—No, but they are very willing to go there.
5610. If they had assistants themselves in weighing, would they be allowed to weigh for nothing?—Of course they would.

5611. Do they ever weigh, themselves?—Very seldom.

5612. Suppose a person went there to-morrow with potatoes, and said he would weigh them himself, would the men say a word to him?—No, they dare not; I am over them to conduct them.

483. Michael Croning.

5613. Are potatoes ever sold by measure?—They were, in small draughts, up to last Friday, when his Worship, the Mayor, put a stop to it.

5614. How were they measured?—In baskets.

5615. To whom did the baskets belong?—To me; I let them out at $\frac{1}{2}d.$ a-day.

5616. How many baskets have you?—I have three or four dozen; but I never had more than a dozen out.

5617. Are the persons at the scales sworn?—No.

5618. Do you give a ticket, then, to persons weighing?—No.

5619. If a man came there to weigh the potatoes himself, and that a farmer were there who had paid 1*d.*, would one get the potatoes weighed as soon as the other?—Yes, for there are different scales. When a man delivers his potatoes in the market, I would oblige him to pay for weighing, unless he has assistants of his own.

Mr. *Alexander Simple* examined.

484. Mr. Alex. Simple.

5620. What is your occupation?—I am inspector of weights and measures for this city.

5621. Have you discovered many fraudulent weights of late?—No, indeed.

5622. How often do you inspect?—I inspect almost every month.

5623. At stated times?—No.

5624. Do you inspect the beams as well as the weights?—I do. The frauds are generally among the small traders. Large weights, such as half-hundred-weights, I generally find to lose a little from use, but I make allowance for it.

5625. What would you consider fraud?—Half a pound upon a half-hundred-weight. I have discovered extra weights sometimes, for buying, among the pennymen, who buy into their own little stores, and have heavy weights sometimes; of course they give out to Mr. Sullivan, and other gentlemen, with fair weights.

5626. Have you discovered any frauds among the large traders in the town?—No, certainly not; I find they send their weights regularly to have them adjusted every month or six weeks. I have tried those baskets which have been spoken of, and they were at first made to hold eight pounds of new potatoes, and they were thought convenient for the public; I was aware that they were illegal, and I mentioned it to the magistrates.

Mr. *William Lanigan* examined.

485. Mr. Wm. Lanigan.

5627. Do you reside in Kilkenny?—I do. I have to complain of a class of persons who come into the market to buy pork, and when they have bought the pig they say it is measly, and cut 10*s.* off it; very often it turns out that they are not measly at all; and these persons are a great nuisance in our markets.

Copy of a Report of a Committee appointed to inspect the Crane, in King-street, in the month of April, 1844.

In pursuance of your directions, your Committee have inspected the place used at present as a public crane in King-street. They are of opinion, that the house occupied as such is not at all adequate for said purpose, it being too small to afford convenience to buyer and seller, and on wet days the public have no shelter from the inclemency of the weather.

The rules and regulations that should be strictly adhered to in all such places appear never to have been complied with. Suffice to say, that there is no sworn weighmaster; no printed list of fees, nor a crane-ticket, to be had there. Your Committee wish to call the attention of this board to charges now made there, for weighing, which they consider exorbitant and illegal. The following is the list of charges:—

	d.		*d.*
From $2\frac{1}{2}$ lbs. to 3 lbs., for butter,	$0\frac{1}{2}$	Curled hair, per hundred-weight,	3
„ 3 „ 9 „	1	Bacon, per flitch,	1
„ 10 „ 19 „	2	Hams and cheeks,	$0\frac{1}{2}$
„ 20 „ and upwards,	3	Carman's loading, per cwt.,	1
Wool, per hundred-weight,	3	Raw hides, per cwt.	1
Feather beds,	3	Cows' fat, „	1

They have also examined the premises in King-street, lately used as a meal market, part of which is at present under a fish market, and suggest that there could be erected, for a small sum, a shed or store-house, of sufficient dimensions, suitable for all the purposes for a public crane; and also that a new list of charges for weighing be made out, and submitted for the consideration and approval of this board.

Signed on behalf of the Committee,

William Lanigan, Chairman.

BAGNALSTOWN, *14th December*, 1852.

BAGNALSTOWN, DECEMBER 14, 1852.

Philip Jocelyn Newton, esq., examined.

486.

P. J. Newton, esq.

5628. Can you give any information as to the patent or authority under which the market is held here?—I cannot, at present.

5629. When was the market established?—I understand about thirty-five or forty years ago.

5630. Who is the present owner of the market?—

Mr. Philip Bagenal.

Mr. *Philip Bagenal.*—Mr. Bagenal, my father, owned part of the town, and Mr. Bagenal, who is his brother, the other part; it was divided between them.

5631. Did it belong to one person up to that time?—It did; there was a patent granted in 1814, to the late Philip Newton.

5632. What is the market-day?—Saturday of every week.

5633. What are the fair-days?—Fourth of September, and 30th of November. There were new fairs established also, on the 17th March, 9th April, 14th October, and December 27th; the last three of which have not been held.

5634. Was there a patent for them?—There must have been.

5635. Are tolls paid at the markets or fairs?—No.

5636. Were they ever paid?—They were, at the two old fairs.

5637. When were they abolished?—Some twenty years ago.

5638. At the time of the opposition to tolls?—Yes.

5639. Were there ever tolls levied at the markets?—I think not.

5640. Is there any charge for weighing at present?—There is.

5641. Is there an enclosed market-place?—No.

5642. Do sales of agricultural produce take place in the streets?—They do.

5643. Is there a market-house?—No.

5644. Are there public beams and scales?—There are.

5645. Are they erected in the street?—They are only brought in upon market-days.

5646. Whose property are they?—The crane-master's.

5647. Has a weighmaster been appointed?—Yes; a person who acts as weighmaster.

5648. By whom was he appointed?—By Mr. Bagenal.

5649. Was he sworn?—I think so.

5650. Have you a fair-green?—Yes.

5651. Is it enclosed?—It is being enclosed.

5652. Is it sufficiently large?—I think so; but at present it is in a very unfinished state.

5653. Was it given by Mr. Bagenal?—It was.

5654. Is there much corn sold here and in the neighbourhood?—A very large quantity.

5655. Is it sold about the streets?—It is brought direct to the stores, and weighed by the merchants themselves.

5656. Are there sales every day?—Every day.

5657. What are the public scales used for?—Potatoes, and a little corn, at seed time, and turnips and other vegetables.

5658. Is there butter sold in the town?—Yes, a good deal of butter.

6659. Is there a butter market?—There is not.

5660. It goes direct to the stores?—Yes, and is sold and weighed there.

5661. The buyers have the fixing of the price, the inspection, and all arrangements in their hands?—They have.

5662. Do you think the consequence is, that butter which might be sold here, goes elsewhere?—I am certain of it.

5663. Would you be in favour of a general market where all agricultural produce should be sold and weighed under the superintendence of sworn weighmasters, with just a small toll sufficient to maintain such a market?—I would, if it were made a general rule; I am sure it would prevent fraud.

5664. Do you consider the system of weighing in private objectionable?—No question of it.

5665. You think a public scales the best test?—Indeed I do.

5666. Would it not be desirable to assimilate the weights and measures over the whole country?—Most decidedly.

5667. Would you be in favour of weighing standing beam to the pound, and abolishing all deductions except the actual tare of the sack?—Unquestionably.

5668. Would it not be a good plan to sell by the stone instead of the barrel?—Well, I think it would make it more simple.

5669. Would you be in favour of obliging all proprietors who levy tolls to provide a properly enclosed fair-green out of the streets, and have a small charge levied for standings upon entering?—Here the question does not arise, because we have a good fair-green and we pay nothing.

5670. As a general rule, however, the public street is not the proper place to hold a fair?—Decidedly not; but here we have a well-enclosed place.

487.

Mr. Thomas Ward.

Mr. *Thomas Ward* examined.

5671. Where do you reside?—Within a mile and a-half of Bagnalstown.

5672. Are you in the corn trade?—I am.

5673. Do you buy all kinds of corn?—All kinds, except wheat.

5674. Is the corn brought direct to your stores?—It is.

BAGNALSTOWN, 14*th December*, 1852.

487.
Mr. Thomas Ward.

5675. Do you charge for weighing or porterage?—Not a penny.
5676. Do you make use of penny buyers?—No; the transaction takes place direct.
5677. Do you weigh in sacks?—Yes.
5678. Do you weigh standing beam or down weight?—Standing beam.
5679. Do you weigh to the pound?—Yes; and if the farmer require it, to the half pound.
5680. What deductions do you make?—Four pounds a barrel beamage, in fourteen stone of oats and sixteen stone of barley.
5681. Is the same deduction made on wheat?—Yes, on twenty stone.
5682. Do you deduct the actual weight of the empty sack?—Yes.
5683. Do you always tare the sack?—Yes. When corn is started in the sack, the weight of the sack is taken off first, and then the beamage.
5684. Do you pay for odd pounds?—Yes, for one pound if I were asked; but I always pay down to one-fourth of a stone.
5685. Do you consider weighing in private an objectionable system?—I think there are as knowing people here as in any part of Ireland, and they are not such fools as to give one pound in place of half a pound.
5686. But does it not open a door to dishonesty?—There is not finer or honester dealing anywhere.
5687. But would it not be better to weigh in the public scales?—I would be quite content.
5688. Would you be in favour of a general market, in which all agricultural produce would be sold and weighed?—I would have no objection, although it would be an inconvenience to people like me.
5689. Would you be in favour of an assimilation of weights and measures over the whole country?—I would.
5690. Would you sell everywhere by the stone?—To be sure; it is quite immaterial.
5691. Would you be in favour of abolishing all deductions, and regulate the prices accordingly?—Yes, to be sure, I would.
5692. You would be able to obtain proper returns of the quantity sold and the average price?—Yes.
5693. You would have no objection to buy in a public market, with sufficient accommodation?—Not the smallest.

Mr. *Thomas Singleton* examined.

488.
Mr. Thos. Singleton.

5694. Where do you reside?—In Bagnalstown.
5695. Do you hold much land?—Not much.
5696. Do you sell at the market here?—I do.
5697. Would you be in favour of a general market?—As regards myself, I would, as a farmer, but at the same time, I have always felt myself honestly and fairly dealt with by the buyers of this town.
5698. But, as a system, instead of hawking corn round the buyers, would it not be better to have a public market, where all the buyers and sellers would meet?—Highly desirable, if you take the interest of the farmers alone into consideration, but I think it would be an inconvenience to the buyers. I think, wherever there was competition, the great bulk of the buyers would be in favour of a public market; but where there is very little competition, or only one person, he would be averse to it.
5699. Would it not be well to create competition?—Indeed it would.
5700. Would you be in favour of an assimilation of weights and measures all over the country?—Entirely so.
5701. Do you see any objection to selling everywhere by the stone?—No; I think when people would become used to it, they would like it very well; at first it would be troublesome.
5702. Would you be in favour of weighing, in such a market, standing beam, to the pound, and abolishing all deductions?—Decidedly.
5703. You disapprove of beamage entirely?—I do. If the corn is sent in in good condition, I see no advantage in beamage.
5704. Do you think the system of deducting beamage is an encouragement to send in the corn dirty?—I think it is. I think it would make the buyer stricter with respect to the quality of the corn if he took care that the farmer should bring it in in good condition. Fortunately there are very few abuses in this town and neighbourhood.
5705. Have you any remark to make with regard to fairs?—Locally we are very well circumstanced, and we ought to have good fairs, and yet our fairs have not done as well as could be expected.

Mr. *Thomas Dycher* examined.

489.
Mr. Thomas Dycher.

5706. What is your occupation?—I am weighmaster.
5707. By whom were you appointed?—By Mr. Philip Bagenal, the proprietor of the market.
5708. Did you get a scale of fees?—I got the scale used previously, and I continued the same charges.
5709. Have you a list posted up?—I have. I weigh only potatoes, a little corn in the spring season, and turnips.
5710. What are your charges?—I charge ½*d.* up to twelve stone of potatoes, 1*d.* up to twenty-four stone, and 1½*d.* above that.
5711. What for corn?—One penny for fourteen stone, up to twenty-four stone.

BAGNALSTOWN, 14th December, 1852.

489. Mr. Thomas Dycher.

5712. What for turnips?—For an ass's cart-load, 1½*d.* and 2*d.*; and a horse's cart-load, 3*d.*

5713. Do you weigh meal?—Very little; 5*d.* was all I got the last day.

5714. What are your receipts for the year?—Not more than 15*s.* a-year.

5715. Do you keep a book?—No.

5716. Do you give the seller a ticket?—I do, when it is demanded.

5717. Suppose it is not demanded?—I mark it on the sack with chalk.

5718. Or upon his hat?—Yes, sometimes.

5719. What is your system of weighing potatoes?—Down weight, with four pounds.

5720. What deductions?—Half a stone on the barrel, and over that a stone.

5721. And the weight of the sack?—Yes.

5722. Suppose there were four pounds, standing beam, would you throw it out?—I would not; I would let the buyer and seller regulate it.

5723. How do you weigh corn?—I take the gross weight, and leave the deductions to the buyer and seller.

5724. Have you a four pound weight for potatoes?—I never used it since the potato failure.

5725. I suspect you never weigh lower than half a stone—is that the case?—It is.

5726. Then it must be half a stone down or nothing?—It must.

5727. If the sack weighed twenty-four stone six pounds would you knock out the six pounds?—I would.

5728. And then take a stone from it?—Yes.

5729. Then twenty-three stone is all the seller would be paid for?—That is all.

490. Mr. John Casey.

Mr. *John Casey* examined.

5730. Do you reside in Bagnalstown?—I do.

5731. Are you in the corn trade?—Yes; I buy all grain, except wheat.

5732. What is your system of weighing?—Standing beam, with one pound weight, and deduct four pounds.

5733. Do you pay for odd pounds?—I do, for a single pound.

5734. Have you ever heard of any frauds practised in private weighing?—Not here.

5735. Would you be in favour of a general market?—I think the farmers are very well satisfied with the present system, and I fear the other system would not answer the buyers.

5736. Would you be in favour of an assimilation of weights and measures everywhere through the country?—Certainly. I would be very willing to accede to any thing which would give fairness between both parties; I may say, too, that I think every person who pays for single pounds would rather have the whole thing go on before the public.

5737. You would not object, then, as a merchant, to buy in a general market?—Most certainly not.

5738. Would you be in favour of weighing standing beam to the pound, and abolishing all deductions, and buy according to quantity and quality?—I have great doubts whether that would tell well, because the corn generally is not well cleaned.

5739. But you could make your calculations, and pay accordingly?—I have known the thing put to calculations of the kind, and I did not find that the seller was remunerated accordingly. Now in the malt trade: the malt heretofore had what are called "combings" in it, and the brewers objected to buy it unless they were screened out, and the sellers were never able to get 1*d.* more for it.

5740. But if there were an uniform system you could know what you had, and fix the price accordingly?—Of course, if it were good for one it would answer for another; at present we have the advantage, for we buy at sixteen stone four pounds, and sell to Dublin at sixteen stone two pounds.

5741. But that is taken into calculation when buying?—O, I would certainly be for an uniform system.

5742. Would it not be desirable to obtain, as you could in a general market, the proper statistics of the country?—It would be a great advantage.

491. Mr. John Finlay.

Mr. *John Finlay* examined.

5743. What is your occupation?—I do business for Mr. Crossthwaite, a large buyer of corn here.

5744. What is your system of weighing?—Standing beam to the pound, and four pounds deduction.

5745. You deduct the weight of the empty sack and then the beamage?—Yes.

5746. Do you pay for odd pounds?—Yes.

5747. Do you make any charge for weighing or porterage?—Nothing.

5748. Would you be in favour of a general market?—There could be no objection to it, if it did not interfere with the facilities for doing business.

5749. Instead of the farmer bringing his corn round to all the sellers, would it not be better for the buyer and seller to meet at a regular hour in a general market?—It would, certainly, be better for the buyer.

5750. Have you ever heard of frauds practised in private weighing?—I have heard of such things, but I do not know of them.

5751. But does not the system offer great facilities for fraud if a person chooses to be dishonest?—No doubt of it.

BAGNALSTOWN, *14th December*, 1852.

491. Mr. John Finlay.

5752. Instances have been represented to us where honest traders were driven out of the town by persons who could afford to give 6*d.* a barrel more, and make it up in weighing?—I am sure of it.

5753. Would not a public market prevent such things?—Certainly; in a public market there would be less chance of losing at one side or the other.

5754. Would you be in favour of an assimilation of weights and measures?—I think it would be a very great advantage.

5755. At present it would be very difficult, unless a person had a hand-book, to know the prices in other parts of Ireland?—Very difficult, indeed.

5756. Would you be in favour of abolishing beamage?—Certainly; I would much rather have no beamage, and let us regulate our prices.

5757. Would it not be desirable to obtain, as could be done in a general market, proper statistics of the quantity of corn sold, and the prices?—It would, so that people would know better how to regulate what they were doing.

Mr. *Hugh Farrell* examined.

492. Mr. Hugh Farrell.

5758. What is your occupation?—I am conducting business for Mr. James M'Donnell, butter merchant, of Carlow, and I buy for him here.

5759. Is the butter brought to your stores direct?—It is; and weighed and inspected there.

5760. Do you buy by lump or by weight?—By weight, firkin butter.

5761. What is your system of weighing?—First we inspect, then agree upon the price, and then weigh.

5762. How do you weigh?—Just require a cast, and weigh to the pound, with four pounds deduction on the firkin, independent of the weight.

5763. What charges do you make?—Ten-pence cooperage and the tare of the timber.

5764. What do you deduct for that?—Whatever it weighs.

5765. You always tare it?—Yes; if the seller thinks it is heavy we are always ready to strip the cask, and take exactly the weight of the timber.

5766. If you do not strip what do you deduct?—Fifteen, sixteen, or seventeen pounds, according as the cooper marks it.

5767. Suppose on stripping a firkin it weighed only thirteen pounds, would you still deduct fifteen pounds?—That never occurred.

5768. For what do you charge the 10*d.*?—I do not know, it is the custom of the country.

5769. What difference do you make in cut between first and second quality?—From 2*s.* up to 10*s.*, according to the value of the article.

Michael Mahony examined.

493. Michael Mahony.

5770. What is your occupation?—I am inspector; I made a cut to-day, from first quality to second, of only 2*s.*

5771. What is the usual difference?—I believe 10*s.*

5772. Do you not think the quality you cut will be marked first at the other side?—I do not know; I never was at the other side.

5773. Would it not be better to have all inspection in a public market?—I would as soon have it so; but when it was so, the people petitioned to have the weighmasters and tasters broke.

5774. Yes, but markets have all been established voluntarily again in Sligo, Cork, Limerick, Waterford, Clonmel, and Tipperary. What quantity of butter have you here in the year?—I think between 1,400 and 1,500 firkins in the season, six months of the year.

5775. With a proper well-arranged market, under a sworn weighmaster and inspector, would not the butter market increase?—I am very certain it would, and I would be glad it was the case; the blame of qualifying the butter would be taken off my back.

5776. Is there much blame in it?—Very often there is.

5777. Was there ever a butter market here?—There was; seven years under the old Act.

5778. Did the weighmaster get compensation?—He did not, because he did not get his ticket registered under the Government system.

Leighlinbridge, December 14, 1852.

LEIGHLIN-BRIDGE, *14th December*, 1852.

Caleb Tyndal examined.

494. Caleb Tyndal.

5779. Where do you live?—Sometimes at Leighlinbridge, and sometimes at Bagnalstown.

5780. What is your occupation?—Weighmaster of butter at Leighlinbridge.

5781. Who is the proprietor of the market?—The late Mr. William Richard Stewart was; he had the patent.

5782. What are the market-days?—Monday and Friday.

5783. Are the markets held on these days now?—There are no markets now; sales take place every day.

5784. Are tolls levied?—Not for corn; there used to be for butter; but there are no tolls now on any thing.

5785. How many fairs are held in the year?—Merely one fair upon the 14th of May; but there are new fairs, which, I believe, are only nominal.

LEIGHLIN-BRIDGE, 14th December, 1852.

494. Caleb Tyndal.

5786. Was the old fair mentioned in the patent?—It was.

5787. You hold fairs upon Easter Monday, 14th May, 25th September, and 18th December, are these the days?—Yes.

5788. Are tolls levied at the fairs?—Yes.

5789. What are they?—Three pence a cow; 3*d.* every head of black cattle; 1*d.* for a sheep; 1*d.* for a pig; 6*d.* for a horse.

5790. Are toll-boards exhibited at every custom gap?—They are.

5791. Are tolls only levied on cattle sold?—That is all.

5792. How does the toll-collector ascertain whether cattle are sold?—There is a mark upon them, and he asks the people whether they have sold.

5793. Does he swear them?—No, only a temporary thing; he just hands them a bit of paper.

5794. Do not the people imagine that that performance is in the nature of an oath?—I judge they do.

5795. Have you any idea what the tolls produce?—Probably from £15 to £20.

5796. Is there a public market or market-house there?—There was, but not these ten years.

5797. Is there an enclosed market-place?—There is.

5798. Sufficiently large?—Yes; where I often weighed 800 firkins in a day.

5799. Do sales of corn, potatoes, and butter, take place at the stores and in the streets?—They do.

5800. Is there a public market for corn?—There is, but not used these thirty years.

5801. Is it weighed at the stores?—It is.

5802. Were you the butter weighmaster?—I was.

5803. Who appointed you?—Mr. William Richard Stewart, the Lord of the Manor.

5804. Did you receive compensation?—I did.

5805. Do you receive it still?—I do; £118 6*s.* a-year.

5806. Do you give credit for all you weigh?—I do; but I had nothing to weigh for the last ten years.

5807. Is the market still open?—It is; but no one goes there.

5808. Was there a large market formerly?—There was; often 800 firkins weighed by me in a day.

5809. Did you ever hear complaints of the system of weighing in the private stores?—I did, in Carlow, but not here.

5810. What is the date of the patent?—February 16, 1630, in the reign of Charles I., granted to William Savage, of the county Kildare.

5811. Was butter sold by weight or lump?—By weight.

5812. What deductions were made?—Four pounds on the firkin, and the tare of the firkin.

5813. What charges were made?—Two pence, weighing; 1*d.* custom; 6*d.* cooperage; and 1*d.* tasting; and all these charges are made now at the private stores.

5814. If a firkin weighed only thirteen pounds, did you always deduct fifteen pounds?—Never; only thirteen pounds.

5815. Do you think it was in consequence of the want of proper arrangement that butter is not sold here now?—I think it is.

495. Henry Jackson.

Henry Jackson examined.

5816. What are you?—Collector of small customs at the fair of Leighlinbridge.

5817. What do you collect?—Four pence for covered standings, and 3*d.* for others.

5818. Do you know the system of collecting at the custom gaps?—They ask the people going out if the cattle are sold, and if they say not, they make them clear themselves; they have to put their hand upon the board and say, "I neither bought nor sold." I saw a number of people myself lay their hand upon the board, and say they neither bought nor sold, and I knew them to come back in half an hour, and say they did buy or sell, and pay the toll.

5819. Do they not look upon it as an oath?—The ignorant Irish do. Some of the tolls are paid going in, such as on cars of cabbage plants.

5820. Did you ever take the goods to make people pay?—I did; and I brought up a man, who was selling blankets and frieze, before Mr. Stewart, and he said it was quite legal to see and have it paid.

5821. Did you ever beat people to make them pay?—Oh, no, I never did; I never took tolls at the custom gaps myself, only for the standings in the fair.

CARLOW, 15th December, 1852.

Carlow, December 15, 1852.

496. Mr. S. Haughton.

Mr. *Samuel Haughton* examined.

5822. Where do you reside?—In Carlow.

5823. Are you in the corn trade?—Yes; and the butter trade.

5824. Are there any tolls levied at the fairs or markets of Carlow?—No.

5825. Who are the owners of the markets?—The ownership is in the possession of the Hamilton family, the present representative of whom is Mr. James Hamilton, which they derived from the ancient Thomond family.

5826. What are the market-days?—The ancient charter gives Mondays and Thursdays.

5827. Are markets held on those days still?—Markets, as they are called, are held upon Mondays and Thursdays; but sales take place every day. As a rule, in my own business, I do more any other day than a market-day. We are tormented with numbers of persons calling, but the important transactions are upon other days.

5828. Is there a market-house or market-place?—No.

5829. Is there a fair-green?—There is a large open space in the street, called the fair-green.

5830. Then all sales of agricultural produce take place in the streets?—Of cattle.

5831. Where is corn sold?—It is either sold in the streets or at the stores; it is generally sold by sample at the stores.

5832. And weighed there?—Yes.

5833. Are there public beams and scales?—There used to be; but within the year, the only craner we had died, and his place has not been filled up.

5834. Is there a weighmaster?—Not at present.

5835. Was the former one sworn?—He was regularly appointed under the authority of the Act of Queen Anne, by the Corporation. It now rests with the Lord Lieutenant, upon an application from the local magistrates, to appoint his successor.

5836. Did he receive compensation?—He did; and was an annuitant for many years.

5837. Was he a general weighmaster or only a butter weighmaster?—He was a general weighmaster; he generally weighed bacon and butter; but he gave his securities under the Act in 1812, as butter-taster and craner.

5838. What did he receive?—I think £400 a-year, Irish.

5839. Then it appears he was appointed under the 52nd George III., c. 134?—He was appointed by the Corporation; I do dot know under what authority.

5840. Is there any charge made for weighing at the stores?—No.

5841. What is your system?—In sacks, standing beam, to the pound.

5842. What deductions do you make?—Four pounds beamage; we call the sack 200 pounds of oats; 224 pounds of barley, and 284 pounds of wheat.

5843. In order to avoid the penalty to weigh in that manner?—Yes.

5844. Are there any other deductions?—No.

5845. You make no charge for weighing or porterage?—None.

5846. Do you pay for odd pounds?—Yes, for one pound

5847. Do you approve of the system of weighing in private?—I think it would be a great improvement to have public scales as a reference; but it would be quite impossible to get our business done in public scales.

5848. Why would it be impossible?—Perhaps 400, 500, or 700 barrels of corn would have to be weighed.

5849. But where they have to weigh 4,000 or 5,000 barrels in a public scales they find no inconvenience.—Then there should be a second porterage taking the corn to the stores.

5850. That would be done by the officers of the market?—Yes; but it should be done by some one, and it would be double the labour, and must increase the expense.

5851. But to you, as a buyer, would it be inconvenient?—It would.

5852. How?—It would be impossible to be in two places at once; and you should appoint a deputy to be in your own office; instead of attending a public market huckstering about the scales a man would want to be in his counting-house.

5853. Then you would prefer the corn being brought to you?—So much so that I think all large dealers should go outside the precincts of the market.

5854. What protection has the farmer in the system of weighing in private?—No protection except the character of the merchant.

5855. Suppose he has no character?—Well, I am afraid there is no law which makes an honest man out of a rogue; you cannot improve the Act of Queen Anne, and the General Weights and Measures Act, except by facilitating the method of punishing roguery.

5856. Now, Limerick has a much larger corn-market than you have, and they are going to adopt the system of having every pound weighed in the public market.—I think it would be very inconvenient.

5857. It might to individuals, but the public good cannot be sacrificed.—Then look at the expense of it.

5858. Wherever we have gone, we have found that the seller would be very well satisfied to pay. The farmers always stated that they would be well satisfied to pay a small charge for a public market. What protection has the farmer in private weighing?—He ought to have no protection except the facility of detecting imposition; and for that reason I would have a public crane as a reference, so that a man might say to the buyer, "I don't like your weighing, come to the public crane."

5859. We found in some places that the man who did so would have great difficulty in getting a buyer the next day.—I do not think that would be the case. Now, as an instance of compulsory weighing, take the article of butter. So long as the Act of 1812 was in force, before Sir Henry Parnell's Act relieved us from some of the obligations, we paid no regard to the crane-master; we all had houses of a particular character, and we shipped upon our own responsibility. My butter will get 2*s.* or 3*s.* more, shipped as Haughton's butter, than if it went out under the qualification of a drunken butter-taster, as we often had before.

5860. I believe other persons ship in your name?—Oh, no one would presume to use my name.

5861. Then you would be in favour of a public scales, only as a test, but not as a public market?—Certainly.

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496.

Mr. S. Haughton.

5862. How would you support a public crane or market if it were not compulsory to go there?—You would get plenty of people to go there; but on the other hand, there are farmers here who have such confidence in the merchants that they would not take 6*d.* a barrel to go into your public market.

5863. It is all very well if you could insure them being fairly dealt with, but until you can do that, are not the public scales the best test?—I think a public market would be totally impossible. In the Cork corn market the expense amounts almost to a confiscation of property.

5864. But they are going to get their system remedied, and to have the factors turned out of the market. Would you be in favour of an assimilation of weights and measures over the whole country?—I think they are the same already.

5865. No, for in some places the barrel is quite different from what it is here—I know nothing about such barbarism; I never heard of any thing but fourteen, sixteen, and twenty stone.

5866. But would it not be desirable to have an uniform system of dealing all over Ireland?—Certainly, I think it would.

5867. Would you be in favour of abolishing all deductions of beamage?—It is a matter between buyer and seller, if it is done fairly and honestly; the seller knows the value as well as the buyer.

5868. Do these deductions not keep up a fictitious price?—Uniformity would be very desirable; but as long as the merchant, after drying and screening, has to ship 282 pounds, it is natural that he should look for a little allowance.

5869. But you could regulate your price accordingly?—There is nothing unfair in the system, if it be honestly done.

5870. Would it not be better to pay for every thing you get and regulate your price accordingly?—I do not know whether it would or not.

5871. Would you prefer buying by the stone or by the barrel?—I think it would be better by the barrel.

5872. Would not by the stone be a simpler way?—No; it would be no improvement.

5873. What objection would you have to it?—Oh, I have no objection. If you want to make any change, establish the system of having every thing sold by the ton and the hundred-weight. I am sure something which you can easily drop into the decimal system will be adopted before we are seven years older.

497.

Mr. John Kidd.

Mr. *John Kidd* examined.

5874. Where do you reside?—About three miles from this place.

5875. Are you a farmer?—I am.

5876. Do you hold much land?—About 200 acres here, and more than 200 acres at the other side of the town.

5877. Would you be in favour of a general market?—I would, and for one reason; I am apprehensive that some men's barrel weighs twenty stone here, and others twenty and a-half, and others twenty-one or twenty-one and a-half.

5878. By Mr. Haughton's account, we thought this was the most honest place we had been in?—Oh, not quite.

5879. Would you oblige all corn to be sold and weighed in a general market?—I have not thought much upon that matter. People generally understand their customers, and choose them, and sell at a lower price to them than they would to others.

5880. Would it not be better for the public generally?—I think it would be more likely to ensure honesty.

5881. Would it not be a protection both to the farmer and to the honest trader?—I am satisfied that it would be an honester principle, if you could get honest men to weigh.

5882. Would it not be better for the interest of the town?—I remarked a while ago that Mr. Sheckleton, near this town, weighs to the pound, and pays for every pound; and almost every man who has a parcel of wheat goes to him.

5883. Would you be in favour of abolishing all deductions, and paying the farmer for what he has?—If I understand it right, it would be the best system.

5884. Would you, as a farmer, object to pay a small toll to support a general market?—I am not fond of tolls if I could help it; but in reply to your question, I have to say, that I think I am as well off at present; but there is a class of persons who come in here, utter strangers, in perfect ignorance of the place, and do not know how to dispose of their goods, as well as people living here; and I think there is also a class of people in the town who live by robbing strangers, and live well by it.

5885. And although you might not be benefited by it, still you think it would be the fairest system for the community?—Indeed I do.

498.

Mr. Mathew Byrne.

Mr. *Mathew Byrne* examined.

5886. Where do you live?—In Carlow.

5887. Do you sell in this market?—I do.

5888. Would you be in favour of a general market?—I would be very much in favour of it.

5889. In which it would be compulsory to sell all articles of agricultural produce?—I think it would be better for all parties, and very much for the interest of the town.

5890. Would you object to pay a small rate to support it?—No; I think it would be very reasonable to do so.

5891. Do you think the farmers would object to pay a small charge?—I think, generally speaking, they would not. I think they lose more by the present system.

5892. Of course; you would have such a market under the superintendence of a sworn weighmaster, in whom all parties could repose confidence?—Certainly.

5893. Would it not be a good plan to weigh before sale, to prevent any imputation of fraud against the weighmaster, as he then would not know to whom the corn was going?—I think it would be a very great advantage, and would create great confidence.

5894 Would it not be an advantage to have the farmers and the buyers meet in a proper enclosed market, the bell ring, and the market begin at a certain hour?—I think it would be the only way to regulate the town properly.

5895. Have you ever known of any frauds practised in private weighing?—A great many. I knew of cases where two stone of corn were taken from the sacks of parties coming in here twenty-five miles, who told me of it, and I told them to go to the magistrates, but they would not wait until the next petty sessions day; but what was the effect? they never would come here again, and the town was so much injured.

5896. Is there any check whatever upon the buyer who chooses to be dishonest?—None whatever.

5897. Have you known of other frauds practised by buyers?—I knew a case where a person was obliged to admit fraud and return the money.

5898. Has there ever been any prosecution?—I do not myself recollect any in the town, but in the neighbourhood I remember a party of whom it was proved, that he used to put a slide under the scale in order to get overweight of corn.

5899. Was that going on for any length of time?—I should think it was.

5900. Did you know of any parties who could afford to give higher prices than others, and were supposed to make it up in the weighing?—I did.

5901. Would not the person coming naturally take the higher price?—He would, if he did not know the character of the parties.

5902. Are you of opinion that many persons are defrauded in that way?—I know a good many myself.

5903. Do you think a public scales would be the fairest system and the best protection?—I do; particularly for the interest of the shopkeepers, because people will not come in here; they are going to other towns, because they have not confidence in the traders.

5904. Would you be in favour of an assimilation of weights and measures, whatever was considered the most convenient?—I think it would be a great satisfaction, and a great benefit, generally speaking. It would create a good feeling among the buyers and sellers, and give security and confidence.

5905. Would you be in favour of weighing standing beam with one pound weights, and abolishing all deductions, but the actual tare of the empty sack?—Yes; and let the buyers regulate the prices according to quality.

5906. Is not the present system an encouragement to parties to bring in their corn dirty?—To some extent it is; because, whether parties bring it in clean or unclean, there is the same deduction.

5907. Would it be possible at present to obtain statistical returns of the quantity of corn sold, and the average price?—The only way would be through the different buyers.

5908. Would it not be one great advantage of a public market, that you would be able to obtain from the weighmaster and his officers proper statistics?—I do not know whether it would be of great importance to the farmer, but it would be very desirable to have the proper information.

5909. Do you consider that, generally speaking, the merchant pays an extra price for the extra weight of beamage?—Certainly not; I do not think any merchant in Ireland ever paid a higher price in consequence of the four pounds.

5910. Is there any other system of weighing practised in the town but that of which we have heard, weighing standing beam to the pound, and deducting four pounds beamage?—Not that I am aware. There was a system of weighing with seven pounds, what was called "give and take;" but I believe it is abolished now.

5911. Is the system which we have heard described, that generally adopted in the town?—It is. There was a system, as I have said, called "give and take," in which there was no less weight used than seven pounds down weight; and if there were seven pounds standing beam, it would be thrown out, or even as much as nine pounds or ten pounds, if the scale did not strike the ground. I do not doubt that it is the case in some places at present.

5912. With regard to fairs, where are they held?—In the streets.

5913. Is that any inconvenience?—I do not think it is.

5914. Would it not be better to have an enclosed fair-green?—I am sure it would.

5915. Would you be inclined to pay a small toll for it?—Not if I could have it without paying for it; but if I could not, I would rather pay something.

5916. Would it not be more convenient for buyer and seller?—I think it would.

5917. How long is it since tolls were abolished in Carlow?—I am not sure; I believe about twenty years.

5918. Were they abolished in consequence of opposition?—They were.

5919. Were they heavy?—I think 2*d.* for a cow; 1*d.* for a sheep; and 1*d.* for a pig.

5920. Are the fairs here good?—Yes, all of them.

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498. Mr. Mathew Byrne.

5921. How many are there?—Four here. and four at Graigue, a part of the town; we could have more if we had a proper enclosed market.

5922. Who is the owner of the fairs at Graigue?—Mr. Jackson.

5923. Are there weekly markets there?—There were; but they are not held now. I think if we had more fairs it would be for the benefit of the town.

5924. Would you be in favour of monthly fairs?—I would.

499. Mr. A. Fitzmaurice.

Mr. *Arthur Fitzmaurice* examined.

5925. Do you reside in Carlow?—I do. I was treasurer of a fund for establishing additional fairs, one every month, that is, four in Carlow, in addition to the eight already in Carlow and Graigue; and £50 was subscribed; but we found we should have got a patent for them, and there was not sufficient money subscribed; besides that, we did not know whether Mr. Jackson or Mr. Hamilton might not have opposed them.

5926. Did you consult with either of them?—Yes; we had Mr. Jackson here, but he did not give a decided answer whether he would oppose or not. Mr. Browne, who is a very large proprietor here, interested himself very much; but the fund subscribed was not sufficient to obtain a charter.

5927. Would you be in favour of a general market?—Decidedly; I think it would be the best for both buyer and seller. In Athy the market begins at twelve o'clock, and I have observed the square filled with cars, and not a sack sold until that hour; and one of the great benefits arising from it is, that it prevents forestalling, and the fight which continually takes place between the penny-buyers before the magistrates here, particularly in the butter trade.

5928. Have you ever heard of frauds practised in private weighing?—I have heard them just alluded to; but none ever came to my own knowledge. At present there is not a worse regulated town in Ireland, or perhaps in England; and the business of the town is suffering materially.

5929. Would you be in favour of the market beginning at a certain hour?—Most certainly; but the toll should be very small, just barely sufficient to support the market.

5930. Provided it were so, would the farmers object to pay a very small toll?—Perhaps a few farmers might, who are in the habit of dealing with customers in whom they can confide, and with whom they feel fully satisfied. For myself, I deal with one house, and I am fully satisfied with it; and for that reason I might consider it a little hardship to have to pay, but at the same time, the boon given to the public would be so great that I would willingly pay it.

5931. Then you think the farmers generally would not object to pay a small toll?—Indeed, I think they would not.

5932. Would you be in favour of assimilating weights and measures?—No doubt of it; and I think it would be very satisfactory to have the system extended to England, because parties looking over the papers could then see what the prices were everywhere, and it would greatly benefit the farmers, for prices would become equalized, and when there were high prices in other places parties would be obliged to give the same prices here.

5933. Would you be in favour of abolishing all deductions, such as beamage?—Yes; I think it would be very satisfactory, because parties would know better what they were doing. It would be very satisfactory that every man should be paid for what he delivers. The only difficulty in the way of a general market would be, that in transferring the corn from the market to the merchants' stores, there should be some protection given to the merchant, that he might not be plundered.

5934. Of course there should be penalties for fraud?—Yes, and very easily recovered; and if there were a few examples made they would soon put an end to it.

5935. In fact there should be penalties for fraud, either upon the part of the buyer or the seller, and some party in the market upon whom it would be incumbent to prosecute?—Precisely.

500. Mr. W. R. Leckey.

Mr. *William Robert Leckey* examined.

5936. Where do you reside?—Near this town.

5937. Do you farm extensively?—About 200 acres.

5938. Would you be in favour of a general market?—Most decidedly; nothing more wanted; not for my own sake, but for the ignorant and uninformed. I am satisfied with the dealings I get, but I think others are not so alive to their rights.

5939. Would you object to pay a small toll to support such a market?—Not at all; and I believe there is no man who holds a reasonable quantity of land, who would not be satisfied with it. There is a vague feeling at present upon the minds of the farmers that something is going wrong, but if there were a proper intelligent staff at such a market, I am sure they would be willing to pay for it.

5940. Have you ever heard of frauds practised by the system of private weighing?—I have heard of them; and a great possibility of fraud is afforded.

5941. Is there any check upon buyers?—No check, but weighing at home.

5942. What are persons to do who have no scales at home?—They must trust.

5943. Would you be in favour of an uniform system of dealing, and an assimilation of weights and measures over the country?—It would be a most important thing; for not one farmer out of ten knows what the quarter of wheat is in English measure, and can really judge what prices are.

500. Mr. W. R. Leckey.

5944. Would you be in favour of abolishing beamage?—I would; I think although it may, in some instances, be paid for and allowed for, in others it is not. But you can have your choice here in some stores.

5945. Would you be in favour of having an enclosed fair-green?—A fair-green is a great advantage; there is one in the neighbourhood, in a place called Palatinestown, which is usually held upon the avenue of Mr. Burton's place, and it is very convenient.

5946. Is there any charge there?—No. There are two large fairs held here upon the 4th of May and the 8th of November, pig fairs, and there is not half room for them. It is a most inconvenient place; there is no seeing half the cattle. I saw several lime cars and other cars, go up, and it cost them more than an hour to get from the cross to the other end of the town. There is no comfort or convenience, or opportunity of exhibiting what you have. How can the farmer exhibit his stock to advantage in Barrack-street, or how can the buyer, who is being jostled about, examine the lots?

Mr. *Samuel Haughton* re-examined.

501. Mr. S. Haughton.

5947. Can you form any idea of the quantity of butter sold here during the season?—There are about four buyers besides myself, and I buy from 8,000 to 10,000 firkins a year; and some of the others buy as much or nearly as much.

5948. Are there 20,000 firkins sold in the year?—Yes, or perhaps an average of 30,000; but some of that comes from the out-markets, and is transhipped.

5949. Do you buy at your own stores?—I do.

5950. You inspect yourself and weigh, and fix the price?—I do.

5951. What is your system of weighing?—Standing beam to the pound, and four pounds deduction; some being seventy-five pounds and some one hundred and twenty pounds.

5952. Is that the custom of the town?—It is.

5953. Do you enter the four pounds in the ticket, or call it so much less?—Call it so much less.

5954. What are your charges?—I charge 6*d.* for cooperage, what I pay myself; but most other parties charge 10*d.*, except by special bargain.

5955. Do you always strip the firkin and deduct the actual tare?—I give the farmer the option; if he thinks it heavy it is stripped without any charge, and the actual weight deducted.

5956. Suppose you strip the firkin, and it only weighs thirteen pounds, would you still deduct fifteen pounds?—No, only thirteen. It would be compulsory in a public crane to deduct fifteen pounds, in order to ensure a certain weight in the firkins. We have got some as low as twelve pounds.

5957. Have you ever heard of farmers taking corn to other markets, and getting higher prices, and bringing the corn here again to sell?—I have heard of them going to Castlecomer, Ballinakill, and other places, and doing so. I suppose it must be done by some plan of weighing the corn. I do not pretend to understand it myself.

5958. Does the system of inspecting and weighing in private stores give general satisfaction?—I never heard any objections; for if the buyer finds fault in the seller, it is only a difference of opinion; either want of judgment or a different principle.

5959. Would you prefer that principle to a public market?—Oh! public inspection is public nonsense. I receive five per cent. more from my customers than I would by public inspection.

5960. But, although it is very well with you who understand the matter thoroughly, if I wanted to buy one hundred firkins, and knew nothing about qualities, how could I do it?—And would you expect to compete with me if you knew nothing about it?

5961. If there were a public market I might do so?—You could not; for I would re-inspect and ship, and I would get higher prices. You never will see butter rank as high as it ought until it is sold by the pound, and a different price for all, not people coming in with ignorant notions that they ought to get the same price for all.

5962. As a general rule, then, would you be in favour of having butter inspected and weighed by the man who buys it?—Certainly. Public inspection is all nonsense.

5963. Suppose a man has no character, can he not rob the farmer?—Oh, no; he will be enforced to deal fairly.

5964. Would you be in favour of the system adopted under the new Bill in Limerick, by which all butter coming within the limits of the market goes into the public market, and is inspected and weighed before sale, leaving it optional to the merchant to take it away and ship on his qualification, or have it sent to a store belonging to the market, and shipped on the public brand?—The result of that would be, that if the merchant found he got a good qualification, he would submit to it; but if not, which is far more probable, he would put his own brand upon it. How could you ensure correct inspection, and make the same kind of inspection answer for every different order, every quality of goods? The butter-buyer would find that the butter had been inspected as well as a butter inspector in public could do it, who knows nothing of special orders; he will find that the butter has a general average correctness, and the only protection he will have will be to give 1*s.* a hundred-weight less than the average, and then he can select them and ship as he likes.

5965. But do not merchants receive the same special orders in Limerick, Sligo, Belfast, and Cork, and yet there are public markets in all these towns?—In some of these places the quality of the butter has deteriorated.

5966. But in Sligo it used to be very low, and now it has risen gradually?—The butter

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in Cork would stand much better if there were a private market. As a public inspection, nothing could be better, but it is too expensive.

501. Mr. S. Haughton.

5967. The only charge is 2*d.*, and 1*d.* for conveying it to the stores. Then you are entirely in favour of having the whole transaction take place at the stores?—Certainly; liberty of trade, and no compulsion of going to the public market.

502. Mr. Leckey.

Mr. *Leckey* re-examined.

5968. Would you be in favour of a public butter-market?—To be sure. How does the farmer know when the firkin is priced and tasted by the buyer what quality it is. He has no one to give him the least advice, and the eye of the public is not on the transaction. If he goes to another buyer, there is the mark of the thumb upon the butter, which he cannot get out, and he loses 8*s.* or 10*s.* by it. There is nothing worse than the private system; there should be no mystery in the matter at all. The farmer is obliged to trust to the buyer, and in many instances he is deceived.

503. Mr. B. Naughten.

Mr. *Benjamin Naughten* examined.

5969. Do you reside near Carlow?—I do.

5970. Would you be in favour of removing the fairs to a convenient fair-green?—I would. I think at present they are very inconvenient to the buyers and sellers, and a great nuisance to the inhabitants.

5971. Would you be in favour of a public market for corn?—There would be great inconvenience in it. I bought 2,000 barrels of corn in Athy, and I have not got in 500 of them; and I know a gentleman who bought 2,000. and who told me he has not got in 100 barrels. I do not approve of weighing in public. I would like to have all weights and measures equalized, and I would like a public sample market; but if there were a public market for weighing, many persons with stores at a distance in the country, would be obliged to watch every cart of corn coming from it, to see that there was no pilfering carried on by the proprietor, or by any other party; then there would be great inconvenience and delay. Suppose half-a-dozen parties came there with 500 barrels of corn, my 500 barrels might not commence being weighed until three o'clock, when it would be impossible to get them done.

5972. But why should you wait until three o'clock?—Because it would be impossible to get the others weighed before.

5973. I think your first objection would not hold good, for this reason. So far as regards being plundered, it would be of course open for you to weigh every barrel after it came back to the store.—Then, why weigh in the public scales.

5974. To protect the farmer from the dishonest dealer.

504. J. O'Meara, esq., M.D.

James O'Meara, esq., M.D., examined.

5975. Where do you reside?—In Carlow. My father was inspector of the butter-market, and I find that the returns of the quantity of butter in 1826 were, 17,155 firkins; in 1827, 27,710 firkins; and in 1828, 33,155 firkins. I may venture to state that there are not 33,000 firkins weighed now in Carlow. The old Act was changed in 1829, and in that year the numbers were upwards of 35,000 firkins, and since then it has decreased. In 1850 there were only seven firkins weighed at the public market, in consequence of all being inspected and weighed at the private stores. Up to that time it was compulsory to weigh in the public market, and the firkins should be a certain size, and if they weighed more than three quarters, it was not paid for. With reference to wool, the markets are in a very disorderly condition. Wool is sold here at sixteen pounds to the stone, which is illegal, two pounds beamage, one pound to the hundred-weight, which is also simply illegal, that is four pounds to the pack.

5976. And the tret, I suppose, of a fortieth?—Yes. The wool of this country has suffered very considerably in the English markets. They brand the fleece with tar and pitch, and at the other side persons are obliged to be employed clipping it off. The allowance is for the purpose of making up for the tar and pitch, and filth of every kind in the wool, consequently, the seller is at a considerable loss; while again I have known the farmer myself sometimes to brand the wool, immediately before shearing, in order to put a quantity of tar and pitch into it, to meet that allowance. It is for the purpose of showing the necessity for a public market that I have been pointing out these abuses.

5977. Has there been a weighmaster lately appointed?—No. In some towns—for instance, in Dungarvan—the Magistrates at quarter sessions appointed a weighmaster in place of the former; and they stated that the law allows them, and that they had a legal opinion on it. Nobody has the power here but the late Corporation; they had it in their charter. I have the appointment of my father by the Corporation in my possession.

505. John Byrne.

John Byrne examined.

5978. What is your occupation?—I weigh potatoes.

5979. Have you a private crane?—I have.

5980. Do you charge for weighing?—I charge for the poterage of the sack.

5981. What is your charge?—One penny a sack on all, independent of weight. Any thing under twelve stone I only charge $\frac{1}{2}d.$

5982. Are potatoes sold here by weight or measure?—By weight.

5983. Were you appointed weighmaster by any one?—I was not.

CARLOW, 15th December, 1852.

505.

John Byrne.

5984. Did you ever get leave from the Corporation to act?—Never.
5985. What is your system of weighing potatoes?—Down weight; twenty-five stone to the barrel—that is, twenty-four stone, and one stone for the sack.
5986. What is your smallest weight?—Half a stone.
5987. It must be half a stone down or nothing?—It must.
5988. What deductions do you make?—A stone from every barrel, and the weight of the sack.
5989. Do you give the seller a ticket?—Yes.
5990. Written?—Yes.
5991. Always?—Only when it is required; generally I chalk it on the sack.
5992. What is to prevent it from being altered?—I seldom or never saw it; generally speaking the buyer and seller are present.
5993. How much do you weigh?—Not much these few years.
5994. Do you keep a book?—No.
5995. If a person lost his ticket and came back, could you give him a copy?—I could not.

Mr. O'Meara.

Mr. *O'Meara.*—I beg to state that when there was a butter-market here, butter used frequently come from beyond Ross. At present a great many people go to Castlecomer and Ballinakill. Carlow butter was very celebrated in the London market, but the brand has lost its character very much.

ATHY, 16th December, 1852.

506.

Mr. Henry Sheil.

Athy, December 16, 1852.

Mr. *Henry Sheil* examined.

5996. Do you reside in Athy?—I do; I am Town Clerk of Athy.
5997. Under what patent or authority is the market held?—It is held under a charter granted in the eleventh year of James I., to the Corporation of Athy.
5998. To the old Corporation?—Yes.
5999. Who are the proprietors now?—The Town Commissioners and their successors.
6000. What are the market days?—Tuesday and Saturday.
6001. Are those the days mentioned in the charter?—They are.
6002. How many fairs are there?—There are ten; six mentioned in the charter, and four new fairs.
6003. When were the new fairs established?—I think in 1845.
6004. Is there a patent for them?—No; they are held by agreement of the Town Commissioners and the public.
6005. What are the dates of the six old fairs?—Seventeenth March, 25th April, 9th June, 21st July, 10th October, and 11th December.
6006. What are the dates of the new fairs?—Thirty-first January, 20th May, 6th September, and 13th November.
6007. Are tolls levied at the fairs?—No.
6008. Or at the markets?—No, except cranage fees.
6009. Were they formerly levied?—They were.
6010. When were they abandoned?—In 1839 or 1840.
6011. Do sales take place here every day?—Yes; corn is sold every day at the private stores, by sample.
6012. Is there an enclosed market-place?—Only the public square.
6013. Is there a market-house?—There is; the lower part of this court-house.
6014. Are there public beams and scales?—There are, in the market-house.
6015. Have you a weigh-bridge?—We have, for weighing straw.
6016. Have you a weighmaster?—Yes.
6017. Appointed by the Town Commissioners?—Yes, and paid by them.
6018. When was he appointed?—In August last. There was a weighmaster in office when the Corporation came in, and they allowed him to remain until he became aged and infirm, and then they superannuated him on a yearly allowance, and put the crane up to auction for whatever person would give the most. That was continued for some years, but this year they thought it well to take it into their own hands, and see what they could make by it; and in August last they appointed a weighmaster at a certain salary.
6019. Does he account to them for his receipts?—He does.
6020. Is he sworn?—No.
6021. Were any of the former weighmasters sworn?—No.
6022. Did the Commissioners fix the scale of charges?—They did.
6023. What are those charges?—For a draught of corn, flour, or meal, or merchandize, up to a hundred-weight, $\frac{1}{2}d.$; over a hundred-weight, $1d.$; butter from one pound to seven pounds, $\frac{1}{2}d.$; from seven pounds to twenty-eight pounds, $1d.$; twenty-eight pounds and upwards, $2d.$; potatoes, up to twenty-one stone, $\frac{1}{2}d.$; upwards, $1d.$; wool, under four stone, $3d.$; from four stone to sixteen stone, $6d.$; upwards, $1s.$; every draught of bacon up to eight stone, $1d.$, over, $2d.$; gross weight in the ounsel, $2d.$—no charge for the empty can; coal, $\frac{1}{2}d.$ per hundred-weight; culm, $4d.$ for a cart-load.
6024. Suppose there was only a ton, would you still charge $4d.$ for culm?—Yes; but the general average is from thirty hundred-weight to forty hundred-weight.
6025. Is all corn sold in the town obliged to be weighed in the public crane?—Certainly

ATHY, 16th December, 1852.

not; we give every opportunity for weighing at the crane, and if they do not weigh there it is their own fault.

506. Mr. Henry Sheil.

6026. If they wish to weigh in their own stores can they do so?—Most certainly. If they weigh at the crane they are charged, but they are not obliged to weigh.

6027. What did the weighmaster get last year?—£94.

6028. Does he keep a book?—I think he does.

6029. Where are the fairs held?—There is a pig fair in the town, but the cattle fair is held in an enclosed fair-green belonging to the Duke of Leinster, and given by him to the public free; that is generally for black cattle, but pigs and horses are sold about the streets.

6030. Is that considered an inconvenience?—It is, as far as horses are concerned.

6031. Have the Commissioners any private property as successors to the Corporation?—No.

6032. Of course the Duke of Leinster might close up that fair-green to-morrow?—He might, certainly.

6033. Is there accommodation at the scales sufficient to weigh all the agricultural produce of the town, in case a general market were established?—The market is sufficiently large, all we would want is a greater number of beams and scales.

6034. Is there any other charge made at the crane but those which you have mentioned?—No other. There are porters there who are recognized by the badge of the Commissioners upon their arm, and to whom you pay ½*d.* a sack if you employ them.

6035. If the farmer choose to do the work himself is he obliged to employ them?—Certainly not.

6036. Would he receive any opposition if he did not choose to employ them?—Not the slightest.

6037. What do these men do?—They lift the sack, put it into the scales, and put it on the car if employed.

6038. What staff have the Commissioners at the crane?—They pay the weighmaster so much a-year, and he is obliged to find all attendants. He has three weighmen; one at each scales, and an assistant clerk.

6039. He is not obliged to find porterage?—No.

6040. What were the receipts at the public crane since August?—£38 9*s.* from August to the 1st of December.

6041. Were there any trials here about tolls?—There were not.

6042. Then why did not the Town Commissioners continue to levy them?—It would not serve the town to have them levied.

6043. What quantity of corn is sold here?—At a low estimate I should say 14,000 barrels a-week.

507. Mr. James Byrne.

Mr. *James Byrne* examined.

6044. Do you reside in Athy?—I do.

6045. Are you weighmaster?—I am.

6046. Appointed by the Town Commissioners?—Yes.

6047. At a regular salary?—Yes.

6048. Do the beams and scales belong to the Corporation?—They do. I am obliged to find sufficient weighmen and clerks.

6049. Do you account to the Commissioners for your receipts?—I do.

6050. Is the list which has been read your scale of charges?—It is.

6051. Is much corn weighed at the crane?—Only a very small proportion.

6052. How much?—My receipts at present only make 15*s.* a-week, at 1*d.* a sack for corn, which is the only calculation I can make.

6053. What is your system of weighing corn?—Standing beam, the scale just merely inclining to one side, to the pound.

6054. What deductions?—The buyer deducts four pounds a barrel; but I only give the gross weight, and have nothing to do with the deductions.

6055. I suppose he deducts the actual weight of the empty sack?—Yes, always the tare of the empty sack.

6056. Do they ever come to you to tare the sack?—Sometimes, and we mark it on the ticket; but generally it is done by the purchaser.

6057. Do you give a ticket?—I do, of the gross weight.

6058. Is it printed?—Yes.

6059. Do you keep a copy of it?—No; we only mark in the book, hay, straw, coal, culm, turnips, and mangolds, and other things weighed at the weigh-bridge.

6060. In the event of a person losing his ticket for corn, could you give him a copy of it?—No, indeed.

6061. How do you keep an account of your receipts?—I put the money received for the corn and potatoes in one box, and make it up in that way.

6062. You cannot tell what proportion was received for corn and what for potatoes?—I could make a very good guess.

6063. It is usual, in well-regulated markets, to have a block, and to write on two tickets at once, and hand one to the seller?—To do that I should have more assistants than the receipts of the crane would afford. Our great object is, to mark down correctly the amount cried out; and it would be very difficult to enter twice, when there are two or three crying out at the same time.

6064 If a man lost his ticket what would you do?—He should only bring back the corn and weigh it again.

ATHY, 16th December, 1852.

507. Mr. James Byrne.

6065. What is your system of weighing potatoes?—Down weight, with nothing less than half a stone.

6066. If there were half a stone standing beam would you throw it out?—Certainly.

6067. Then the farmer may lose up to seven pounds?—He may; sometimes he may lose up to thirteen pounds.

6068. What do you deduct?—The purchaser deducts a stone for each sack, independent of weight, from ten stone; under that, half a stone.

6069. Does he ever deduct more?—No; that is for sack and dirt.

6070. Do you give a ticket for potatoes?—We do, with the gross weight only, not making up the price, which is all done by the buyer.

6071. Do you weigh butter?—Yes.

6072. Firkins of butter?—This is the first year we have established the market for firkins.

6073. Have you a crane for butter alone?—We have.

6074. What is your system of weighing?—We just take a cast of the beam; we are not so very exact with large lumps of butter.

6075. Do you weigh to the pound?—Yes, to the quarter of a pound.

6076. Not on firkins?—No; in weighing firkins we weigh standing beam, because there is a certain tare and tret to be deducted.

6077. Do you weigh to the pound?—We do.

6078. What deductions are made?—I am not aware, for I have nothing to do with them.

6079. Do you weigh wool?—Yes; standing beam, to the pound.

6080. What deductions?—We deduct nothing.

6081. What is the stone of wool?—Sixteen pounds.

6082. Do you sell corn by barrel or by stone?—By barrel; twenty stone of wheat, sixteen of barley, and fourteen of oats.

6083. Have you any butter inspector?—No; the buyer qualifies himself.

6084. Have you ever heard any complaints relative to the system of weighing in the private stores?—I have heard farmers complain that they did not receive sufficient weight.

6085. Do you think the establishment of a public crane, such as you have got, is any check?—With the powers we have at present I think not, because the seller is at liberty not to come there; but if he were obliged to come there, it would put a stop to fraud.

6086. Have any instances of frauds at private stores ever come before the magistrates?—I think the complaints here are to a very small extent.

6087. Do you think the system of weighing in private objectionable, as opening a door to fraud, if parties choose to act dishonestly?—I think it does, to a very great extent. I know parties who come in with corn, who have no protection but my ticket. The difference between my weight and the weight at the stores has been, however, very little.

6088. Is the weight at the stores ever much more than your weight?—Oh, never more, generally less.

6089. Have you an inspector of weights and measures here?—I believe not. The Grand Jury have appointed a person only to stamp the weights, at a nominal salary.

6090. Would you have sufficient room to erect scales enough here in the event of a general market being established?—Quite sufficient, no matter what the quantity of corn.

6091. Do you think the farmers of the country generally would object, if there were a public market, with sufficient accommodation and sworn weighmasters, to pay a small toll upon every sack to support it?—I think they would be very glad to be obliged to do so, or allowed to do so.

6092. Do you think, if men are known regularly to frequent the public scales here, would they find any difficulty in getting buyers?—I think there would be some difference made; that they would prefer parties would not go to the scales.

508. Mr. Henry Hannan.

Mr. *Henry Hannan* examined.

6093. Where do you reside?—In Athy.

6094. What is your occupation?—I am a corn merchant and miller.

6095. Is the corn weighed at your own store?—It is.

6096. Do you weigh at the public market?—I do not; but I give sellers the option.

6097. Do they ever do so?—Generally, they have confidence in the buyer.

6098. What is your system of weighing?—Standing beam, to the pound, and four pounds deduction for beamage.

6099. Do you tare the empty sack, and deduct the actual weight?—Yes, always.

6100. Do you deduct the weight of the sacks first, and then the beamage?—Yes.

6101. Do you pay for odd pounds?—Certainly.

6102. Do you make any charge for weighing or porterage?—None, whatever.

6103. You employ no factors or sky-farmers?—No such thing in the town at all; in fact I am quite confident there is not a better system in any town in Ireland than in Athy. I think the system of having the public crane to refer to, in any disputes which may arise between buyer and seller, without law or expense, is a great cause of such persons not being required. The farmers know that they can refer to the public crane, and they are perfectly able to take care of themselves.

6104. Have you ever heard any complaints of the system of weighing in private?—I think as little as could be; only sometimes there are rumours.

6105. But do you not think the system objectionable?—No doubt, to a certain extent; but it behoves the miller or merchant to weigh his corn, even, although it was weighed at the public crane.

ATHY, 16th December, 1852.

508. Mr. Henry Hannan.

6106. But is there any check upon the merchant, if he choses to be dishonest, and to defraud the farmer?—I never have any difference with the farmer.

6107. Have you any of those parties here, whom they have in other towns, who can afford to give 1*s.* a barrel more than you, and make it up in the weighing?—I think not.

6108. Would you be in favour of a general market, where every thing should be sold and weighed?—I would have no objection.

6109. You would not, as a buyer, object to buy in such a market?—Certainly not; but from my knowledge of Athy, and the quantity of corn, I think it could not be established. The market would not open until eleven o'clock.

6110. But you could make it earlier?—How could persons living out of the town come in before eleven o'clock.

6111. The corn might be weighed before that hour, and then the merchant would only have to buy. Would it not be better to bring one man in early, than to keep 400 or 500 waiting?—As a general system, I would not myself object to it.

6112. Would you be in favour of an assimilation of weights and measures?—I would have no objection to it.

6113. Would you be in favour of buying everywhere by the stone of fourteen pounds?—I think buying by the barrel a very good plan; but I would be in favour of some uniform system, whatever it may be.

6114. Would you be in favour of weighing standing beam, to the pound, and abolishing all deductions?—If it became a general law, of course there could be no objection to it.

6115. Would it not be a very desirable thing, that in such a market, you would be able to obtain proper statistics of the quantity sold and the prices?—Such returns were made very frequently, but I do not see the advantage of it; I do not think the merchants would be very anxious to expose their private affairs.

6116. They would not have do so, as the only thing required would be the quantity passing through the market?—May I ask, did I understand you to say, that all corn should be weighed at the public crane.

6117. Of course, all corn coming within the limits of the market.—That would lead to great confusion.

6118. It is not found to create confusion in markets much larger than these.—That is where they come in by sack, but they do not here.

6119. Might you not buy 1,000 barrels by sample, and never get one of them delivered?—That might have happened some years ago, but the buyer has a remedy against the seller.

6120. Did you ever try it?—I did, and succeeded. I would have no objection to a public market, as an individual, but I would ask you how you would prevent persons from taking corn out of the sacks, when going back to the stores?

6121. By a heavy penalty; punish one or two and it will soon cease.—I look upon it all as a matter of business; and I think there are places, where the quantity of corn sold, which should go to the market first, and afterwards to the stores, would detain the farmers too long in town.

6122. That has not been found in other markets; in Cork corn-market, which is much larger than this, it is all over by two o'clock, and the corn cleared out.—Then farmers sometimes do not come here until four o'clock in the day.

6123. That should be put a stop to. Would you not be in favour of beginning at a certain hour?—I would have no objection; but buying is one thing, and delivering is another; you cannot bring in all the corn in a moment.

6124. But what farmers can do in one locality they can do in another.—I know the systems of all the towns around, and they differ generally from this town, and this town has as fairly-managed and honest a corn-market as any in Ireland.

6125. The reason is, that they have made a step here in the right direction, and if it were carried further, it would be a great advantage.—It was endeavoured to establish a second market here, and it failed; some of the buyers almost think it a compliment to come here.

6126. But if there were a general system they would not be better off anywhere else than here.

509. Mr. Blaney Roper.

Mr. *Blaney Roper* examined.

6127. Do you live in Athy?—Three miles from it.

6128. Do you sell corn?—I do.

6129. Would you be in favour of a general market, with proper accommodation, under the superintendence of sworn weighmasters, where all agricultural produce would be sold and weighed, and a very small charge paid—only sufficient to support it?—I should, decidedly, say not.

6130. Why?—We frequently sell before we thresh the corn, and get a few days to deliver it; but if we brought it in bulk, we should either sell it or go to the expense of bringing it home again; which, to the majority of sellers, would be a great inconvenience, and, in fact, would be a great loss to the growers of corn.

6131. Then you would prefer selling by sample at the private stores?—I think the benefit is just as much.

6132. Probably the corn you sell is weighed at home?—It is, sometimes.

6133. Do you not consider the system of private weighing objectionable, as offering facilities for fraud?—I should say there could not be fraud at the private scales if there were attention paid by the inspector of weights and measures.

ATHY, 16th December, 1852.

509. Mr. Blaney Roper.

6134. How could he see a man's thumb in weighing; the beam and scales might be perfectly correct, and fraud still be committed?—I should think if frauds were found out at private scales it would prevent parties from selling there any more; and parties, for their own sake, would look to it. The only thing, in my opinion, at all against selling by sample is, that it leaves it open for the buyer to say, "your lot is not as good as the sample;" and there may be a difference between the buyer and the seller.

6135. Would not inconvenience arise from the purchaser sometimes buying a certain quantity by sample, and not receiving it?—If he does not get it he will not have to pay for it.

6136. But that is a very serious disadvantage for a man who has made his arrangements. Then you think Athy is better under the present system than it would be under a general market?—Certainly; it is much better to sell by sample than sell by bulk, generally speaking. I think it would be pleasanter, and less trouble, to weigh at the stores. In a general market, you would have to unload there, which would be very severe work for your men.

6137. That would be done by the officers of the market?—But you would have to pay for it.

6138. It is all included in a very small charge. It is all very well, when you are so fortunate in the persons with whom you have to deal; but, suppose there were a different class of buyers, who would take advantage of every thing, what protection would the farmer have?—Certainly, the farmer requires to be guarded as much as he can be; no doubt, there are frauds in some places, and immense frauds too. I think there is nothing to be said against having a public crane to weigh in.

6139. The only thing is, that you are so fortunate here, you do not consider it necessary?—I do not.

6140. Would you be in favour of an assimilation of weights and measures?—Certainly.

6141. Would you think it a good plan to weigh standing beam, to the pound, and abolish all deductions?—I think a small beamage is fair to the buyer.

6142. Suppose it were abolished everywhere, and that you were left to regulate your prices accordingly?—I certainly agree with you, that in an uniform system all deductions ought to be abolished.

6143. Would it not be a desirable thing to obtain, as you could in such a market, the statistics of the country?—It certainly would be very satisfactory.

6144. Do you think the farmers generally would object to go into a public market and pay a small charge for weighing; recollect we are talking now of the poorer class, who have not the protection of scales at home, and servants, as large farmers have?—I think a great number of them would be glad to pay the charge, provided it were very small.

6145. Would you then, generally speaking, be in favour of a public market, and a public weighmaster?—My answer must be the same as before; if it would involve the necessity of all the corn being brought into market, I should say it would not be a good measure.

6146. You might come in with your sample, in the first instance, in a public market, and you would be only required to bring the bulk into the market whenever it came.—But suppose a miller lived five miles from the town, and that I had to bring it in to town as great a distance, it would impose a double journey upon me.

6147. But we only spoke of buyers within the limit of the market.—I did not understand that; in that case I would agree with you to a great extent.

6148. Would you be in favour of an enclosed fair-green?—Certainly; it would be well worth while to pay a trifling thing in order to have proper accommodation; and among proper accommodation should be persons at the entrance of every green, for assisting in and out cattle, and to prevent cattle from being lost.

6149. Would it not be better to pay a small charge on entering the fair, to get rid of the system of swearing?—Decidedly, upon entering. That system of swearing is a dreadful one, nothing can be worse.

Mr. *Alexander Duncan* examined.

510. Mr. Alex. Duncan.

6150. Do you reside in Athy?—I do.

6151. You are chairman of the Town Commissioners?—I am.

6152. Would you be in favour of a general market?—Yes, and for two reasons.

6153. What are they?—One is, that I imagine it would give increased confidence to farmers; and another is, that it would be easy to raise by it a sufficient revenue to keep up the town for every object necessary.

6154. Surely you would not raise any tax off the farmers for more than market purposes?—No; merely what we are now accomplishing by what we receive for weighing.

6155. If the charge you made would produce more, would not the natural course be to lower the tolls?—Certainly.

6156. It would be a sufficient advantage to the town to bring people into it?—Decidedly; that is all we look for. I think it would give the farmers confidence, and would not injure the merchants. I think a very small charge would answer all the purposes; and, rather than run the risk of having it too high, I would even make it lower at first than might be afterwards required.

6157. Would you be in favour of an assimilation of weights and measures, and abolishing all deductions?—I would, certainly.

6158. Would you be in favour of having an enclosed fair-green, and taking all the stock out of the streets?—Yes, I think it would be an improvement. There are two points which the Town Commissioners think it would be very useful I should lay before you. One

ATHY, 16th December, 1852.

510. Mr. Alex. Duncan.

is, that the powers of the old market juries should be given to the present Town Commissioners. For instance, we have turf selling here which under the old Corporation had a standard measure; but which people sell now in any way they please. Bad meat and bad fish, and other articles of the kind, it would be decidedly well that the Commissioners should exercise the powers of market jurors over.

6159. Do you not think the Summary Jurisdiction Act would enable magistrates to decide in such cases?—I will come to that immediately. We think also, that it would be very useful that the Chairman of the Town Commissioners and two other Commissioners should be empowered to decide all cases of dispute between buyers and sellers without further reference to a magistrate. There is a very great hardship felt at our fairs here; parties go into fairs and purchase pigs in the morning, mark them, and desire them to be sent wherever they stop, and then in the evening come in and say, "this pig is measly, you must take so many shillings off it." Perhaps the seller will refuse, and he has no way of testing it, and he has no remedy except to summon or process the man, or else to bring home his pig again. He might take him before a magistrate if the value were under £5; but the value is very often over £5, and besides we have no resident magistrate. In a case of the kind, the Town Commissioners should have power to appoint and pay a man to decide the question, and the Chairman and two Commissioners have power at once, under the Summary Act, to decide upon the award. Upon the last fair-day several persons came to me complaining of this hardship, and I could do nothing but tell them to go to a magistrate who lived in the country, and it was not court day. A magistrate can decide under £5, in the street or anywhere. I beg, on the question, to hand you the following resolution adopted last night by the Town Commissioners:—

Proposed by Mr. H. Hannan, and seconded by Mr. M. Kavanagh.

"That the want of local authority to settle disputes between buyer and seller in fairs and markets is felt to be a serious loss and inconvenience in Athy. It is therefore suggested, that, in any legislation on the subject, power be given to the Chairman for the time being, with any other two of the Commissioners he shall call upon, to adjudicate and settle all disputes between buyer and seller within the said borough of Athy."

511. Mr. Roper.

Mr. *Roper*.—Suppose I buy a cow at a fair, and that when I come to take her I find that the man has sold her to some one else. I have no redress except I make an affidavit that I had a certain loss by it. It must come before a Court of Quarter Sessions; the magistrates have no power to decide above £5. I knew an instance upon the other side, a few days ago, where a jobber bought three heifers from a man and got earnest; he had not a farthing to pay, and he could not sell them again, so he left the cattle on the man's hands, and the man lost his sale.

MOUNTMELLICK, 17th December, 1852.

Mountmellick, December 17, 1852.

Samuel Sheane, esq., examined.

512. Samuel Sheane, esq.

6160. Do you reside in Mountmellick?—I do, and have for upwards of thirty years.

6161. Are you in the corn trade?—I buy a great deal of corn, and I keep a flour mill, and also a malt-house.

6162. I believe you are a magistrate for the county?—Yes, and the adjoining King's County.

6163. Can you give any information of the patent or authority under which the fairs are held?—I presume the fairs are held by patent. The district belongs to the Marquess of Drogheda, who is the patentee of the fairs and markets, but he derives no benefit from it of late years.

6164. What are the market-days?—The only recognized markets in ancient times were on Saturdays; but there is another market-day established by universal consent, held upon Wednesday, but that is a minor market.

6165. What are the fair-days?—Second of February, 17th March, 2nd May, second Thursday after Whit-Sunday, the 20th July, which was one the inhabitants established at the same time as the new market, the 26th August, 29th September, 1st November, and 11th December; eight old fairs and one new.

6166. Have you any Town Commissioners?—No; this is not a corporate town, and we have no Town Commissioners. There was a meeting held here not very long ago for the purpose of endeavouring to obtain Commissioners, and the inhabitants, I believe, from fear of being taxed, took what I think was a mistaken view of the matter, and opposed it, although the meeting was legally held by the authority of the Lord Lieutenant, and it has not been tried since. I believe lately, however, a better feeling is arising here, and that we will obtain a system of self government.

6167. Is there any controlling body here?—None whatever. I question if you have met during your travels, or if there is in all Ireland a town so peculiarly circumstanced, with such a number of inhabitants, possessing such respectability and such extent of trade, having no control whatever, except the character of the parties themselves.

6168. Are there any tolls paid in the markets or at the fairs?—None whatever.

6169. Were they ever levied?—They were; but they were discontinued, probably twenty-five years ago, in consequence of a good deal of discontent and opposition.

6170. Were there any legal proceedings?—No; but there was an universal feeling against the mode of swearing people at the custom gaps, and the habit of taking a certain quantity of corn and potatoes out of the sacks for toll, and also charging for weighing.

6171. When tolls were collected, to whom did they go?—There were parties who were trustees, gentlemen long since dead, and the tolls and customs of the town were leased by the grandfather of the present Marquess of Drogheda to them for some charitable purpose; I have heard that of giving a certain sum towards clothing the poor for the winter.

6172. Were they levied in an arbitrary manner?—It was considered so; there were three or four hired parties who went about, and if persons had only a standing for vegetables or any thing of the kind, they had to pay 2*d.*; and oaths were tendered on fair-days to find whether persons had bought or sold.

6173. Is there any market-place here?—No; there is neither market-place or fair-green, except the public square.

6174. Do sales take place in the public streets?—Yes; upon the presented roads.

6175. Has a weighmaster been appointed by the proprietor of the market?—Never; although I applied myself for the purpose. I spoke to the agent several times of the necessity, and I never had interviews with the Marquess himself.

6176. Are there public beams and scales?—There are beams and scales, private property; in fact any person is at liberty to bring out a beam and scales and weigh.

6177. Are the parties sworn?—Not at all.

6178. Is corn weighed at the private stores?—Not invariably. All the barley and wheat, generally for manufacturing purposes, are weighed at the respective stores of the merchants; but oats and some wheat, by parties who come from a distance, jobbers to attend the markets, and by the neighbouring millers, is weighed at the public scales.

6179. How many pair of scales are there?—I think three.

6180. Is there any thing to prevent three more from being established there to-morrow?—Nothing, or thirty-three.

6181. Or the present three from being taken away?—Nothing whatever. At the time when the old Marquess of Drogheda exercised control, public feeling became very strong against the tolls, and an individual put up a public scales, and a case came before the magistrates against him for an invasion of rights. The party was of opinion that there was no invasion of rights, as the Marquess of Drogheda had not put up scales, and he applied to the law officers of the Crown, and the magistrates received instructions that under the circumstances they could not enforce the penalty.

6182. Under what Act could the magistrates prevent a person from establishing a pair of scales?—I am not aware, unless by the patent which his ancestry held. I myself, before the extension of the Civil Bill Court, took a great deal of trouble to have a Seneschal Court established.

6183. I suppose the corn you buy is weighed at your own stores?—It is.

6184. Do you buy by sample?—Generally, or altogether; the corn here is bought by sack.

6185. Do you consider it the best plan?—Yes; for what a man purchases then he has to pay for, and he knows what he has to give.

6186. Is this a large corn market?—It is. I may say, taking every grain, that the quantity sold here amounts to 150,000 barrels.

6187. What is your system of weighing?—There are two systems adopted here. The more usual mode of weighing is with no less than half a stone, or what the people here call, the "give and take" system. There is no beamage taken, and half a stone is deducted from every sack. I do not think that the buyers gain by that system upon the whole. Generally speaking, the farmers, from long experience, will take care that the sacks are heavy enough to weigh half a stone, or sometimes more, so that the buyers really have no advantage.

6188. You do not tare the sack?—Not upon that plan. The other mode—and allow me to remark that either is always at the option of the seller—is to weigh standing beam, to the pound, tare the sack, take no more than the actual weight of the sack, and deduct four pounds to the barrel. I may mention to you as a fact, and a very singular one, that although you see we are under no control in the world, yet, during the twenty years that I have been sitting here as a magistrate, I never recollect one—certainly not three charges as regards weighing.

6189. Do you consider, as a rule, that the system of weighing in private is objectionable?—Most decidedly; while human nature is as it is, I think it is the most objectionable thing in the world.

6190. Have you ever known parties who could afford to give a higher price than others, and make it up by weighing?—There certainly is neither check nor control upon them, and people must only depend upon their consciences. As a system, I consider it decidedly objectionable in every sense of the word.

6191. Have you ever heard of frauds practised?—Persons will say such things, but certainly they are not by any means frequent. I may mention to you, as a singular fact, that there is no such thing as a public weighing machine in the town. We are indebted to a private individual, at the other end of the town, who has a large foundry, who has a machine to weigh his metal; and wool, hay, straw, coal, and other articles of the kind are weighed there, and pay 4*d.* a load.

6192. Would you be in favour of a general market, with proper accommodation, under

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512.

Samuel Sheane, esq.

sworn weighmasters, with a proper market-house or market-place, and oblige all agricultural produce to be sold and weighed there?—Decidedly; but provision should be made. There should be a sufficient number of beams and scales.

6193. Of course it would be utterly impossible, at present, to obtain any correct statistics of the markets?—I should say entirely so.

6194. Do you think the farmers would object to pay a small toll, just sufficient to support such a market?—Decidedly not; and I think it would be as much for the advantage of the buyer as the seller.

6195. If properly conducted under respectable officers, would it not be a protection to both buyer and seller, the farmer and the honest merchant?—Certainly; the only thing is, whether it would be made compulsory in a market where the buyer and seller are perfectly satisfied, and have confidence in each other. There should be a general measure for the whole country. There could be no Act exempting one particular district.

6196. Would it not be a very desirable thing to obtain, which could be done in such a general market, the agricultural statistics of the country?—I was, for a long time, of opinion that scarcely any country suffered so much from the want of statistics. The police have latterly gone about to ascertain, from individuals, the number of their acres, and the quantity of produce; but I should think the returns are very imperfect.

6197. Do you sell here by the barrel?—Yes; twenty stone of wheat, sixteen of barley, fourteen of oats; potatoes, twenty-four stone. Bere and rape are also weighed the same as barley.

6198. Would you be in favour of an assimilation of weights and measures all over the country?—Most decidedly; it is almost impossible to understand the prices, at present, in different parts of the country. I should think nothing more desirable than to enable parties to understand prices all over Ireland. I have heard several parties here complain of the want of it. Very few men here understand how to compare the English system of measures with our weights.

6199. Would you be in favour of selling everywhere by the stone?—I think by the stone would be the best way.

6200. Do you, as a practical man, see any objection to selling everywhere by the stone?—Not the least. I think the barrel system objectionable.

6201. Would you be in favour, in a public market, of weighing all agricultural produce standing beam, with as small a weight as one pound, and abolishing all deductions of beamage over the whole country?—It is the same thing exactly; but there would be no door opened for fraud of any kind by the system you suggest.

6202. Is it not a great injury to the farmer, as between him and the landlord, as all valuations are founded upon the price of corn?—One thing is quite certain, that the system you suggest would completely close the door against fraud of any kind, if the scale be correct.

6203. Do you not consider the very system of making these deductions has been rather an encouragement to parties to bring in their corn in a dirty state?—I think it has.

6204. Would you be in favour of such a market beginning at a stated hour?—Yes; I have heard very frequent complaints of the want of a regular hour. It has very frequently happened, from the want of such a system, that when there was a slight advance in the market, people go out upon the roads and meet the farmers coming in, who are not aware of the advance, and buy the corn from them before it reaches the town. I have always objected to the system of selling by sample, which I consider most objectionable. When you had bought a quantity of corn by sample, if any advance took place, the seller went and sold it to another buyer; then, if the market fell, your were sure to get the man's own corn with his neighbour's corn, which you did not buy at all. Then, sometimes, even if you did get home the corn, it was ten to one you would not get the full quantity. Several cases have occurred where such things have been brought before the Civil Bill Courts, and parties punished for not fulfilling their contracts.

6205. Now is there anything to prevent, in a large market, corn being sold in parcels?—Nothing in the world; except that you should be careful, in a legislative enactment, that where any benefit is derived by the owner of property, every proprietor should be compelled to leave sufficient space for a public market, and also for a public fair-green; for I think holding fairs in the public streets very objectionable.

6206. The very theory you stated about the farmer being met coming into town, not knowing of an advance, shows the necessity for a public market?—It was with that view I stated it. No doubt a public market would be the greatest possible advantage.

6207. A great advantage to the countryman would be that he could see every thing around him?—Yes, and no one could take any advantage of him.

6208. Is there a butter-market here?—Nothing but the streets. We have no market for butter, eggs, or poultry; and the poor creatures who sell them are under all the weather. The very meat, at all seasons, is out in the open streets.

6209. Is there a butter inspector?—No; the buyers inspect butter themselves.

6210. Then the buyers inspect, fix the price, and declare the weight?—The thing is greatly governed by custom. A firkin of butter, by a sort of common consent, is managed so as to weigh a certain quantity, I think six stone four pounds, gross weight; and, except by special agreement, it is considered that you pay for nothing more than that; and if it is short you pay short.

6211. Is it bought by weight or by lump?—By weight.

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6212. With regard to fairs, do you think the townspeople would generally object to the fairs being removed?—Not if they were kept in the immediate vicinity of the towns. I hope the general system will be very different under the Government, from what it was under the old system belonging to the Lords of the Manor, in which the most disgraceful abuses occurred. There is no such thing here as a person to keep the records of the fair, and it frequently happens that great disputes arise, particularly, for instance, with regard to stolen property. A servant may steal his master's corn, and it may be sold in the immediate neighbourhood of the fair. Now it would be a great security that there should be a sort of clerk of the fairs, who would keep an account of all the sales, and that every thing should be entered in the book to show that the transaction was a fair and legitimate one.

6213. Of course you would be in favour of paying a small charge for standings?—Certainly; I may remark, that although under the state of things which you have heard of, that it is a singular fact, that there is not a market in the whole country where the buyers have a higher character for honesty, and fair dealing than this. I do not know whether it would come within the scope of any Act which may be brought in, or of your inquiry; but I would remark, that no town suffers more from the want of proper shambles, particularly in warm weather. It is an absolute disgrace to any civilized community to see the way in which meat is exposed here. Our market is supplied principally by victuallers coming in from Portarlington, and there is no provision whatever made for them, unless when they sometimes get the shelter of a door in wet weather.

6214. How is bread sold in the town?—Generally speaking, the bread is sold by the four pound loaf and the two pound loaf.

6215. Is it not the general custom to lower the size of the loaf when the flour gets a rise?—In the case of the bread sold to retailers it generally is.

6216. Would it not be better to have it always sold by the pound, and let the quantity vary with the price of the flour?—I think it would; the more uniformity you have in all things the better. I may remark, that before the famine, the people bought flour by the pint, the quart, or the pottle; now they never take it by the measure.

6217. We have heard objections urged as regarded millers living outside the limits of a town?—I think millers living three or four miles from a market town could not well be compelled by law to go into the town; but I find it here in practice, that since the market was established, all the neighbouring millers, even living five or six miles from the town, come in here, and buy at the market, and have stores in town.

6218. And do you find that farmers come in here in preference to stopping at the mills?—Decidedly; such is the case. In Athy, where the samples are brought by the farmer, it is quite easy for the miller; but here it is quite a different thing; and where corn comes in in parcels it is clearly the interest of the miller to have a store to receive it. It would be very well at once to put a stop to selling by sample.

6219. It will stop itself.—That is quite true; there are three or four parties here who have stores here, although they do not live in the town, and who purchase at the market, store it, and draw it away at convenience during the week. Unless there are many buyers, of course, the farmers do not in general bring in very large parcels.

Mr. *James Milner* examined.

513. Mr. James Milner.

6220. Where do you reside?—In Mountmellick.

6221. What is your occupation?—I am in the wool trade.

6222. Is there much wool sold in the town?—A good deal.

6223. Where is it sold?—The parties having wool in the neighbourhood bring it to the stores.

6224. Is it weighed there?—It is.

6225. What is the stone of wool?—Sixteen pounds.

6226. What is your system of weighing?—Standing beam to the pound, nothing less, and for any thing over three hundred-weight, four pounds beamage, the tare of the sack, and an allowance of one-fortieth part for tret. From one hundred-weight to three hundred-weight we deduct two pounds, and for anything under that it is optional—if the seller gives good weight, perhaps we would require nothing.

6227. Would it not be better to abolish all these deductions?—I do not think it would make any difference. I would have no objection to have it all abolished; I think it would simplify matters.

6228. Do you agree with what Mr. Sheane has stated, relative to a general market?—I do; I certainly would be in favour of a general market.

6229. Would you be in favour of an assimilation of weights and measures?—I would; and weighing wool by the pound, and corn by the stone.

6230. Would it not be desirable to obtain, as we might at a general market, proper agricultural statistics?—It would be very satisfactory.

6231. At present it is all done by guess-work?—Completely so.

6232. Do you think the fairs would be better held where they are, or in an enclosed fair-green?—I hardly agree with what Mr. Sheane has said in that respect. I think it is frequently a great advantage to collect people in the town.

Mr. *Edward Murphy* examined.

514. Mr. Edward Murphy.

6233. Where do you reside?—In this town.

6234. Are you in the corn trade?—Yes, and the flour trade; and am also agent to the Grand Canal Company.

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514. Mr. Edward Murphy.

6235. Do you buy much corn?—From 7,000 to 10,000 barrels a-year.

6236. As regards the estimate of the quantity sold here, do you think 150,000 barrels correct?—Perhaps it may be a little over the mark—certainly from 120,000 to 150,000.

6237. Would you be in favour of a general market?—I think there might be one objection. Perhaps occasions might occur, and they have occurred to myself, where, after selling and weighing the corn in a public market, the man who sold it might take some out before delivering it.

6238. There should be a special clause for punishing, in a summary way, any fraud, either upon the part of the buyer or the seller, and have the power given to the head officer of the market to prosecute in all such cases, and they would soon cease?—In that case, I would certainly be in favour of a general market, as a rule, for it would be the fairest for the buyer and seller.

6239. Do you think the system of weighing in the private stores offers facilities for frauds, if men choose to be dishonest?—It certainly does.

6240. Would you be in favour of an assimilation of weights and measures all over the country?—I would.

6241. And weighing all agricultural produce standing-beam to the pound, abolishing deductions, and regulating prices accordingly?—Certainly, I would.

6242. Which would you think best for an uniform system in weighing corn—the stone, or the barrel?—I do not think the stone would enable us to go close enough.

6243. Is your system of weighing the same as that mentioned by Mr Sheane?—It is; we adopt either the old or the new system. I differ with Mr. Sheane only in one point—if I find the farmers have the sacks heavier than seven pounds, I generally super-tare them.

6244. Do you make any charge for weighing or porterage?—There used to be a small charge made by the men about the store, and they were sometimes a little disorderly on a Saturday, and I prevented them from receiving it; and now, perhaps, the farmer who has ten hundred-weight, will leave them 2*d.* or 3*d.*, or whatever he may choose to give, and I divide the money among them.

6245. But you do not oblige the farmers to give it?—Certainly not.

6246. Have you any of that class of persons called sky-farmers or penny-buyers?—No.

6247. The transaction takes place directly between the farmer and the merchant?—Yes, directly.

6248. In the event of a general market being established, you would not be in favour of charging a higher toll than would support it?—Not more, certainly.

6249. With regard to fairs, would you be in favour of obliging the proprietors of fairs to provide proper enclosed fair-greens?—Yes; I would have a proper enclosed fair-green for all cattle coming in, quite convenient to the town.

6250. Do you think the farmers generally would object to pay a small charge for a good standing?—I do not think they would, when they would find the benefit of it.

6251. Would it not be better to pay such a charge upon entering the fair?—Not a doubt of it.

6252. Do you consider fairs held in the streets a nuisance to the inhabitants of a town?—To some of them, but not to others.

6253. Is it a convenient place for those who come to buy and sell cattle?—I do not think it is, for people want a place where they can look at the cattle; and the place we have is nearly half-a-mile long, from one end of the town to the other, and a man might lose his whole day going through it.

515. Mr. Charles Pym.

Mr. *Charles Pym* examined.

6254. Where do you reside?—In Mountmellick.

6255. Are you a farmer?—I am.

6256. Do you agree in the opinions we have heard from Mr. Sheane and Mr. Murphy?—I do.

6257. Are you in favour of a general market?—I am.

6258. You think it would be the fairest for the farmer and the honest trader?—I do.

6259. You buy butter?—Yes.

6260. Is it bought and weighed at your own stores?—Yes; and I inspect it and fix the price.

6261. Would you prefer a public market, and have the inspection and weighing performed by a sworn weighmaster?—Indeed I would. I think the Cork system a great deal better than ours.

6262. Do you make a charge for weighing or cooperage?—I charge 10*d.* a firkin.

6263. How do you weigh?—Standing beam, or just a bare turn. We pay for six stone, and four pound for beamage and scrapeage, and if it is short of that, we pay for so much less.

6264. If it is over?—We seldom or never, unless there is a bargain with the seller, pay for it; and I have tried it frequently, and we hardly, in the long run, gain by it. Then the tare of the firkin is sixteen pounds or seventeen pounds.

6265. Do you strip the firkin?—If there is a dispute with the seller we strip it.

6266. If there is not, what would you do?—We agree among ourselves, and we are frequently losers. The firkins sometimes weigh twenty pounds.

6267. Do you ever tare less than fifteen pounds?—Never less.

6268. What difference do you make between first and second quality?—Generally 10*s.*, or 8*s.*, according to quality.

515.
Mr. Charles Pym.

6269. What quantity is sold here in the year?—I should say 5,000 firkins.
6270. Do people ever complain that your weights do not give them the quantity they expect?—Some of them do complain, but others are well pleased.
6271. If it were inspected and weighed, would it not be better to abolish all deductions?—Indeed I think we would all be better satisfied.
6272. Was there ever a public market here?—No; but there was a person named Thornton inspector.
6273. Did he receive compensation from Government?—He did not.
6274. Would you be in favour of a public general market?—I would.
6275. What is your opinion with regard to fairs?—I would like to see them held in a proper fair-green.

Mr. *Michael Reynolds* examined.

516.
Mr. Mich. Reynolds.

6276. Do you live in this town?—I do.
6277. Are you a farmer?—I am.
6278. Would you be in favour of a general market?—I would. My opinion agrees with Mr. Sheane's. I think it would be a great advantage, and more satisfactory for all parties.
6279. Do you think the farmers generally would not object to pay a small charge to support such a market?—I do not think they would.
6280. What is your opinion with regard to fairs?—I think if a fair-green were convenient, it would be very satisfactory.
6281. Would it not be a good plan to abolish all deductions, such as beamage?—I think it would.

Charles Molloy examined.

517.
Charles Molloy.

6282. Do you reside in Mountmellick?—I do.
6283. What is your occupation?—Principally weighing potatoes.
6284. By whom were you appointed?—I only took my crane into the market.
6285. No one objected to your doing so?—Not one.
6286. How long have you been there?—Fourteen or fifteen years.
6287. Have you only one beam and scales?—That is all.
6288. Is it voluntary to make use of it or not?—Of course it is.
6289. What do you charge?—One penny a sack for every thing, large or small; some very small ones I make no charge for.
6290. Do you get 1*d.* for a hundred-weight?—Sometimes.
6291. What is your system of weighing corn?—Just the same as the private stores.
6292. Do you weigh both ways?—I do.
6293. Do you tare the sack?—Sometimes, if they are brought back to me.
6294. Do you give a ticket?—I do.
6295. What do you put on it?—The buyer's and seller's names, and the weight.
6296. Do you keep a book?—If any person wishes it I copy the ticket.
6297. If a gentleman's servant or a farmer's man lost his ticket, and came back next day, could you give him a copy?—I could not.
6298. Do you deduct beamage from the weight of the corn and the sack?—No. I put down the gross weight, and when the sacks come back, I deduct them, and the beamage afterwards.
6299. So that a person weighing upon the old system would have to bring back the sacks?—He would.
6300. Could you tell the quantity weighed and the average price for a year?—Indeed I could not.
6301. How often do you get your scales adjusted?—Two or three times a-year.
6302. Are there two other weighmen beside you?—There are.
6303. Do you compete with one another?—No; we are unanimous.
6304. Do you get your beam regulated?—I do, once or twice a year.
6305. What height are the scales?—Nine inches from the ground, standing beam.
6306. What is the barrel of potatoes?—Twenty-four stone.
6307. How do you weigh potatoes?—Down weight.
6308. A good hit to the ground?—It must hit the ground three times.
6309. What is the smallest weight you use?—Half a stone.
6310. What would it take, with a heavy draught, to bring the scale from standing beam to down weight?—A couple of pounds.
6311. Then the farmer may lose nine pounds?—He may.
6312. What deductions do you make?—A stone on every barrel, from the 1st of November to the 1st of May, and half a stone afterwards for bag and dirt.
6313. Do you always give a ticket?—I do.
6314. You do not mark it with chalk on the man's hat?—I mark it on the sack, but I always give a ticket too.
6315. Do you weigh any thing else?—Any thing that may come in to me.
6316. What is your charge?—Just 1*d.* a load; but I weigh nothing hardly but corn and potatoes.
6317. Does your system give satisfaction?—Yes, I am obliged to do so.
6318. Were you ever sworn?—I never was.

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518. Mr. Edmond Swan.

ABBEYLEIX, DECEMBER 18, 1852.

Mr. *Edmond Swan* examined.

6319. Are you agent to Lord De Vesci?—I am.

6320. Can you tell us under what authority or patent the fairs and markets have been held here?—Under a patent taken out, I believe, by Lord De Vesci, but that was before I was agent.

6321. In what year?—I do not know.

6322. When was the market established?—It was before my time, and I have been upwards of twenty-eight years agent here.

6323. I dare say you will be safe in stating that it was established within the last forty years?—I should say so.

6324. Who is the present patentee and proprietor of the fairs and markets?—Lord De Vesci.

6325. Does any other person in the town claim any right?—No.

6326. Have you any Town Commissioners?—No.

6327. What are the market-days?—Saturday in every week.

6328. Is that the day granted by the patent?—I do not know.

6329. What are the fair-days?—There are six fairs in the year—one in every two months.

6330. Are tolls or customs paid at either the fairs or the markets?—No.

6331. Is there an enclosed market-place?—Not enclosed; the market is held in an open space about the market-house, and the corn is weighed inside.

6332. Is there a market-house?—There is.

6333. Would you call the place where the market is held the open street?—Well, it is a place made for the purpose of holding markets.

6334. When was the market-house erected?—I think in 1835.

6335. Was it erected by Lord De Vesci?—It was.

6336. Are sales of agricultural produce confined to that open space, or are they made through the town, and at the stores?—I think the greater part goes there, but not all.

6337. Has Lord De Vesci appointed a weighmaster?—He has.

6338. When was he appointed?—In 1849.

6339. Is he the only one?—No; there is one for corn and another for potatoes.

6340. Are they separate appointments?—They are.

6341. Are these men sworn under the 4th of Anne, c. 14?—They are not.

6342. How many public beams and scales are there?—There are two, besides one or two smaller ones for butter and meat. The potato scales are in the open air, and that for corn under the market-house.

6343. Is all the agricultural produce sold in the town weighed in the public scales?—I think the greater part of it.

6344. Where is the rest weighed?—I think in the private scales in the town; and I believe some parties weigh at their own stores.

6345. Were the private scales established under any authority?—They were not.

6346. Did the proprietor of the market authorize them?—No.

6347. Do they weigh for hire?—Some of them do.

6348. Have you a public ounsel?—Yes; and there is one established by a private party in addition.

6349. Is the accommodation provided at the market sufficient to weigh all the agricultural produce in the town?—I consider that it is.

6350. Was there any necessity for these private scales?—I think not.

6351. Have you ever heard any complaints with regard to the system of weighing in private?—I have heard it said that parties sometimes did not receive their proper weight.

6352. To which side are they supposed to lean?—To the seller, generally, but I have heard it both ways.

6353. Are the fairs held in the public streets or in an enclosed fair-green?—In the public street, around the market-house.

6354. Is the place sufficiently large?—It is.

6355. Does it cause any inconvenience or annoyance to the people?—I think not; I never heard that it did.

6356. Are tolls levied at the fairs?—No.

6357. Do they extend down the street, or are they confined to that place?—They are generally very trifling in extent—not many cattle.

6358. In the event of large fairs being established, would the space there be sufficient?—They might extend down the street.

6359. Would not that be an inconvenience to the people of the town?—Not a great deal; of course it would be more or less inconvenience.

6360. Would you be in favour of a general market, in which all agricultural produce should be sold and weighed?—I would.

6361. Would you be in favour of an assimilation of weights and measures all over the country?—I would.

6362. Would you be in favour, in such a market, of weighing all agricultural produce standing beam, to the pound, and abolishing all deductions of beamage?—Yes; I think it would be a very fair way.

6363. Does not the present system of deduction keep up a fictitious price?—I think it does.

ABBEYLEIX, 18th *December*, 1852.

518.
Mr. Edmond Swan.

6364. Are not the same deductions made whether parties bring in their corn clean or dirty?—No; when it comes to be examined, there is a further deduction if it be in a dirty state.

6365. But still, if a man brings in his corn in the cleanest possible state, the first deduction is made?—It is; but it is considered in the price of the article.

6366. Then would it not be better to take the exact quantity?—Certainly; I think it would be very desirable to have a uniform system.

6367. Would it not be very desirable to be able to obtain proper agricultural statistics from such a market?—Yes, it would be very useful.

6368. Do you think the public scales the fairest test, affording protection both to the farmer and to the honest trader?—I do.

6369. Have you many buyers in this town?—I believe not very many.

6370. Are there any who weigh at their own stores?—I believe there are.

6371. Do you consider the system of weighing in private objectionable, as opening a door for fraud if the buyer chooses to be dishonest?—I think it is; and if there were public scales, and a proper guarantee and precaution taken that the weighmaster should exercise his duty fairly and honestly, it would be for the interest of both parties.

6372. Is there a butter market in the town?—No; butter is sold in lump here.

6373. There is no inspector of course?—No.

6374. Is it sold by weight?—It is.

6375. Would you be in favour of having the fairs where they are, in the streets, or having an enclosed fair-green provided, and making a small charge for standings?—My experience would go to leave them as they are; I have not seen any inconvenience by them. In Ballinakill we have a number of fairs, and some of them very much thronged, and I do not see any inconvenience from them. Of course when the streets are very narrow, they must be inconvenient.

6376. Besides, the fairs extend a mile in some places, and buyers lose a great deal of time in going from one end to the other?—Yes, there is some objection in that.

519.
Benjamin Milton.

Benjamin Milton examined.

6377. What is your occupation?—I am weighmaster here.

6378. By whom were you appointed?—By Lord De Vesci.

6379. When?—In 1849.

6380. Are you the only weighmaster?—No; there is another for the potato-market. I attend to the crane and the ounsel.

6381. How do you attend to both?—Very seldom is there much hay weighed in the early part of the day, and the corn is weighed by that time. I have a porter to help me if the corn is at the same time.

6382. Were you ever sworn?—Never.

6383. Do you receive a salary?—No, only the fees.

6384. Do you account for your receipts to Lord De Vesci's agent?—I do not.

6385. What do you charge for weighing?—Any thing over ten stone of oats, 1*d.*, and any thing under that ½*d.*

6386. Do you ever charge more than 1*d.* for a draught?—Never more than 1*d.*, no matter what it weighs.

6387. What do you charge for potatoes?—The same.

6388. What do you charge at the ounsel?—Two pence for a load, whatever it weighs.

6389. Would you charge more than 2*d.* for thirty hundred-weight?—No, nor for fifty.

6390. What is your charge for butter?—One halfpenny a draught, no matter what it weighs—sometimes four stone, and sometimes eight or nine pounds.

6391. What staff do you employ?—I have one porter, and my wife and daughter attend to the butter scales.

6392. What is your system of weighing corn?—Just a turn of the beam.

6393. What is your smallest weight?—Seven pounds, except by the special agreement.

6394. It must be seven pounds with a cast, or nothing?—It must.

6395. If there were seven pounds standing beam would you throw it out?—I would.

6396. So that a farmer who does not trim his sack, may lose any thing up to seven pounds?—He may.

6397. What do you deduct for beamage?—Nothing; only half a stone for the weight of the empty sack.

6398 Do you always deduct it?—Always, unless there is an agreement to weigh standing beam, and then put in the empty sacks and weigh them.

6399. What is your system at the potato crane?—Exactly the same; a cast of the beam, with no less weight than seven pounds, and half a stone for the sack; except this difference, that any thing that goes beyond twenty stone of potatoes, there is a stone allowed for the bag and dirt.

6400. What is your smallest weight at the ounsel?—Two stone; I could weigh to the pound before, but some people got in and broke the upper bar of the ounsel, and now I can only weigh to the two stone.

6401. Do you always weigh the cart?—Always, but when we know the cart; and even then we weigh it in wet weather.

6402. Do you give the seller a ticket at the corn scales?—I do.

6403. Is it printed?—It is.

ABBEYLEIX, 18th *December*, 1852.

519. Benjamin Milton.

6404. What do you mention in the ticket?—The gross weight, and the date, and the seller's name, and deduct seven pounds; and if it is required, make up what is to be paid.

6405. Do you keep a copy of the ticket?—Not of corn.

6406. Do you enter in a book?—No.

6407. Then if a man lost his ticket, he could not get a copy next day?—He could not.

6408. Is there any charge made for porterage?—None; I employ porters to help in the corn.

6409. How is corn bought?—By the stone: twenty pounds of wheat, sixteen pounds of barley and bere, and fourteen pounds of oats.

6410. What is the stone of potatoes?—Twenty pounds.

6411. How often do you get your weights adjusted?—Mostly once a-year.

6412. Could you give any idea of the quantity of corn sold in a year?—I could not.

6413. Is any corn weighed at the private stores?—There is.

6414. Have you ever heard of frauds practised in private weighing?—I heard of an instance, where there was a load of hay weighed, and there was one hundred-weight and a-half given more than at my stores.

6415. Do the private scales get much to do?—Not a great deal.

6416. What is the system of weighing there?—Just the same.

6417. Did you hear of any frauds there?—I knew of one, where a sack of corn brought from the scales to be weighed at mine, and there was half a stone weight more in mine.

6418. Do parties weighing prefer the public scales?—They do.

6419. Is there sufficient accommodation in the market to weigh all the corn without the private scales?—I think there is quite.

6420. How do you weigh butter?—By the stone, to the pound.

6421. Do you weigh with less than one pound weight?—Yes, with a quarter pound.

6422. Do you require a cast of the beam?—I do.

6423. What beamage do you deduct?—None at all.

6424. Is any firkin butter sold here?—None.

6425. Is there a large butter market?—There is a great deal of lump butter sold.

6426. What is your principal produce here?—I think oats.

6427. Do you think there are 30,000 barrels of all kinds of grain sold here in the year?—I think there are.

6428. Have you many buyers here?—A great many buyers attend the market.

6429. Are there many stores?—There are not.

6430. How do you weigh wool?—We hardly ever get wool here.

6431. If all the corn weighed in the market were obliged by law to be sold and weighed at the public scales, would you have sufficient accommodation?—I think we would.

6432. Is there space enough to put up more scales?—There is plenty.

520. Mr. John Leycester.

Mr. *John Leycester* examined.

6433. Are you a magistrate for this county?—I am.

6434. Do you trade in corn?—My son keeps a flour and oat mill within about a mile of this town.

6435. Does he buy at this market?—He does.

6436. Where does he weigh?—Partly here, and partly at the mill, just as the seller wishes.

6437. Is any charge made for weighing or porterage?—None.

6438. Is the system of weighing at the mills the same as that at the public market?—Just the same.

6439. Do you weigh either system at the option of the seller?—Yes.

6440. Would you be in favour of a general market?—I think it would be desirable; but I am afraid it would be inconvenient to the seller.

6441. Where he lives away from the market, if he could not sell to the miller near him without having recourse to the market.

6442. But we only speak of corn coming within the limits of the market?—Oh, in that case, I would clearly be in favour of the system.

6443. Do you consider weighing in private objectionable?—I do, indeed.

6444. Have you ever heard instances of some parties being able to give 1*s.* more than other buyers, and make it up in weighing?—I have, in other places particularly.

6445. Do you think a public market would be a protection to the farmer and to the honest trader?—I think it would be very desirable.

6446. Would you be in favour of an assimilation of weights and measures?—I would.

6447. Would you be in favour of abolishing all deductions of beamage, and regulating prices accordingly?—I do not think it would be a matter of much interest to the buyer; but I would be in favour of an uniform mode of weighing, whether with beamage or without it.

6448. Do you not think it keeps up a fictitious price?—Certainly, I think so. I never thought otherwise.

6449. Did you ever know instances where the farmers got nothing extra for beamage?—Oh, it is quite certain it opens a door for fraud.

6450. Do you think the farmers, generally, would object to pay a small charge to support such a market?—I think it would be for their interest, and that they would be better off by doing so; although there may be nominally more money given, at present, they would really be better off.

ABBEYLEIX, 18*th December*, 1852.

520.
Mr. John Leycester.

6451. Would it not be desirable, in such a market, to obtain proper statistical returns?—It would be very desirable.

6452. At present the returns are only nominal?—That is all.

6453. Do you ever sell at the fairs?—I sell and buy cattle.

6454. Would you be in favour of holding them in a proper enclosed fair-green, or in the public streets?—Where there is no accommodation in the streets, I would be decidedly in favour of it.

6455. With regard to an uniform system of dealing, would you prefer weighing by the barrel or the stone?—I think there is no material difference; but it very often happens that it is hard to calculate by stones.

6456. Then would you be in favour of weighing uniformly by the barrel?—No; I think the stone would probably, upon the whole, simplify matters, if the people were used to it.

6457. But whatever were decided upon, you would have the system an uniform one?—Clearly; the same weight all over Ireland, and the same system of markets.

Pierce Ryan examined.

521.
Pierce Ryan.

6458. Where do you reside?—At Ballinakill.

6459. Are you a farmer?—Yes; I farm about 115 acres.

6460. Would you be in favour of a general market all over the country, obliging all corn within the limits of the market to be sold and weighed in the public scales?—I would be in favour of an uniform system, leaving at the option of the seller, for I think it would be very inconvenient for large parcels to be delivered upon market-day.

6461. Why?—The days are very short.

6462. But suppose there were sufficient accommodation?—There could be no sufficient accommodation in the country parts of Ireland.

6463. Why?—Because the farmers live very far from the market town. They should be out all night with their horses.

6464. Suppose there were sufficient scales provided?—You would not get buyers. This is not a regular corn country, it is more a grazing country; and you would not get buyers to attend in such time as would give the farmers an opportunity of going home early.

6465. Why should they not attend as well as they do at this moment?—If it were made a compulsory system, the buyers might create a glut in the market, and then wait until a later hour to get the corn cheap.

6466. Recollect we only speak of corn coming within the limits of the market?—Oh, decidedly; I agree as far as regards corn coming into the market.

6467. Your only objection appears to be, that it would cause delay. Now, put that out of the question, for there would be no delay; if a dozen beams and scales were required, they should be provided. Would you have any other objection?—No. I think there is no other valid objection.

6468. Is there any check upon a person weighing in private that he will not defraud the farmer?—There is not, but the farmer generally knows the man who has established a good character.

6469. Have you ever known frauds practised in private weighing?—Never to my own knowledge.

6470. Have you a beam and scales at home yourself?—I have.

6471. Then you are perfectly safe. But suppose a man has not a beam and scales at home, is he not liable to be tricked in dealing with a dishonest person, if there be no public scales?—He is; and I think to have public scales a most essential thing. I would have the scales a certain distance from the ground by law.

6472. Would you abolish all deductions of beamage?—I would.

6473. And assimilate weights and measures over the whole country?—Most decidedly; nothing could be fairer.

6474. What is the general height of the scales here?—I have seen scales in several towns round, which, when they came to standing beam, were eighteen or twenty inches from the ground, and would take a whole stone weight to bring them down. Besides the weights may be right, and the beam most ruinous; there may be one side long, and another short, and the scale may be blunt.

6475. All these things would be corrected in a public market?—No doubt; it should be a public corrector of private weights.

6476. But the beams and scales may be correct, and you cannot insure that the thumb of the private weighmaster will be correct?—That is true.

6477. Would you be in favour of weighing standing beam, and abolishing all deductions?—Decidedly; I do not see what a weight is made for, except to get the actual weight of it.

6478. Are odd pounds paid for here?—There is a system of beamage established here, which is very ruinous. They will not bring in half pounds.

6479. Suppose you had twenty barrels and three pounds, would you be paid for the three pounds?—You would; you would get a fractional part for it.

Timothy Bowe examined.

522.
Mr. Timothy Bowe.

6480. Where do you reside?—On Lord De Vesci's estate.

6481. What land do you hold?—About 140 acres.

6482. Where do you sell butter?—At Castlecomer.

6483. Does the buyer qualify and weigh here?—He does.

ABBEYLEIX, 18th *December*, 1852.

522. Mr. Timothy Bowe.

6484. Does the system give satisfaction?—There is an understanding between the buyer and seller to stop four pounds out of every firkin, and allow in price for it.

6485. No matter what the weight?—No matter.

6486. Do buyers charge for cooperage?—Ten pence a firkin.

6487. What do they tare?—Whatever the firkin will weigh.

6488. Do they always strip and weigh it?—If the seller does not agree, it will be stripped.

6489. Do they ever deduct more than the actual tare?—Sometimes they do.

6490. Would you be in favour of a general market, where all butter should be inspected and weighed before sale?—I think it would be the best way.

6491. Is there much butter sold by lump?—In the town there is.

6492. Do you think that system bad?—I do not think it a good one.

6493. Is it not calculated to lower the character of the butter?—It is; butter is never so well treated; it cannot be.

6494. Does it not give rise to many frauds in packing?—It does.

6495. Would you be in favour of weighing standing beam to the pound, and abolishing all deductions?—Indeed I would, and so should every man.

6496. Would you be of the same opinion with regard to corn, and would you have it weighed in a general market?—Yes; I would be for it, and I think you will find all the farmers the same way.

6497. Do you think the farmers generally would object to pay a small charge for supporting such a market respectably?—I think not; I would not object to it myself.

6498. Have you ever heard complaints of the system of weighing in private?—Well, I have heard of them.

6499. Would you be in favour of having weights and measures all alike?—I would; and pay for all you get, except the empty sack and the empty firkin.

523. Richard Hurst.

Richard Hurst examined.

6500. Where do you reside?—In Abbeyleix.

6501. Do you keep a private crane?—Yes.

6502. What do you charge for weighing?—Three halfpence a load in the ounsel.

6503. When did you establish it?—A couple of years ago.

6504. Did you get any permission from the patentee of the market?—No.

6505. Who fixed the scale of charges?—We did ourselves.

6506. Have you a crane?—Yes.

6507. What do you charge for it?—One penny a bag.

6508. Do you ever charge more?—Never.

6509. Do you get much to do?—Not a great deal.

6510. What made you establish the crane and ounsel?—We wanted them for our own convenience.

6511. Have you ever heard any complaints of the manner you weigh?—People are generally satisfied. I have heard some complaints, and complaints of others.

6512. Do you consider there was not sufficient accommodation in the public market?—do.

6513. What is the smallest weight you use?—Seven pounds.

6514. Do you require down weight?—Yes.

6515. How often have you the beam and scales adjusted?—Every twelve months.

6516. How high are they from the ground?—Nine inches, standing beam.

6517. Do you give a ticket to the seller?—We do.

6518. What does it state?—The gross weight.

6519. Do you deduct the beamage?—No.

6520. What for the empty sack?—Half a stone. Sometimes they come back to be tared, and then we deduct the actual weight.

6521. Do you make up the price in the ticket?—Yes.

6522. Is it printed?—It is for the ounsel; not for the scales.

6523. What would it take to bring the scales from standing beam to down weight, with four hundred-weight at each side?—It might take three pounds.

6524. Did you ever try?—I cannot say I ever did.

6525. Do you keep a book?—No; just give the ticket.

6526. Then you have no means of giving a man a duplicate if he lost his ticket?—No.

6527. How do you weigh in the ounsel?—A turn of the beam. We can weigh to the two pounds.

6528. With a ton of hay?—Yes.

6529. What is the lowest weight you use?—A quarter of a hundred-weight; but I have weighed to the stone or the half stone.

BALTINGLASS, 20th *December*, 1852.

Baltinglass, December 20, 1852.

524. William Kelly.

William Kelly examined.

6530. Do you reside in Baltinglass?—I do.

6531. Can you give any information as to the patent under which the fairs and markets are held?—I cannot. There was a person named Higginson who owned the markets when I came here, but he is dead these fourteen or fifteen years.

6532. Do you know who the proprietor is?—I think Mr. Carroll, of Ballynure, is. He has the head rents.

524. William Kelly.

6533. Is there a market-house here?—No. There was an old market, but it was thrown down.

6534. Then there is no market accommodation except in the streets?—None. There is a market-square, but it is the public street.

6535. What is the market-day?—I think Tuesday and Friday.

6536. How many fairs are there?—Ten; six old fairs, and four new.

6537. When were the four new ones got?—I think about ten years, or more.

6538. Are tolls and customs levied there now?—None whatever.

6539. Is there any person who manages the market or arranges it?—There is not. The magistrates, within the last twelve months, made some arrangements, according to which the market opens regularly at eleven o'clock.

6540. Are there any public beams and scales?—No; but there are three private scales erected.

6541. Kept up on speculation?—Yes.

6542. Are any of the parties who weigh sworn?—No.

6543. Are they appointed by any one?—No; they started themselves.

6544. What charges do they make?—One penny a sack for every thing.

6545. Is it compulsory to weigh there?—Certainly not; but most persons weigh there and get a ticket.

6546. But they can weigh in their own stores, or in a yard, if they choose?—Certainly; and they do so often; but on market-days people generally weigh in the scales.

6547. What is the system of weighing?—Down weight, with half a stone.

6548. Then it must be half a stone down weight, or nothing?—It must.

6549. Must the scale touch the ground?—It must, three times.

6550. Is that the custom of the town?—It is.

6551. What deductions are made from the gross weight of corn?—The weight of the sacks.

6552. Do you tare the sacks?—That is according as parties agree. Sometimes they take half a stone, but generally the sacks are weighed.

6553. How do you weigh potatoes?—The same way.

6554. Any reduction for beamage?—No.

6555. Do you weigh butter?—None is weighed in this town, except what is weighed in the shops.

6556. Does the seller get a ticket on weighing?—He does.

6557. What does it state?—The weight and the price; the gross weight first, and then they deduct the weight of the sacks.

6558. Do they keep a copy of the ticket in a book?—Yes.

6559. Then if a person lost his ticket and wanted a copy, he could get one?—He could.

6560. Do you weigh wool?—Yes.

6561. What is the charge?—I make no charge. It does not come in here generally, unless the buyer appoints a day.

6562. Do you weigh standing-beam?—Yes, with a one pound weight.

6563. What deductions?—That is settled between the buyer and seller. I think four pounds beamage, and eight pounds in the twenty stone.

6564. Do they sell here by the barrel or the stone?—By the barrel. Wheat, twenty stone; oats, fourteen stone; barley, sixteen stone; potatoes, twenty-four stone.

6565. Could you tell the quantity of potatoes and corn weighed here in a year from your book?—I could.

6566. Is there an inspector of weights and measures here?—There is.

6567. How often do you get your weights adjusted?—Once or twice a-year.

6568. Could you form any idea of the quantity of corn sold here?—I could not.

6569. Is there an enclosed fair-green here?—No; it is merely a by-part of the street.

6570. Are tolls charged here?—No.

6571. When were they abandoned?—I think about twenty years ago.

525. Mr. R. H. Anderson.

Mr. *Robert Henry Anderson* examined.

6572. Do you live here?—I do.

6573. Are you in the corn trade?—Yes, and a miller.

6574. Could you form any idea of the quantity of corn sold here in a year?—Not beyond my own immediate buying, but there are many others.

6575. Is there a large corn market?—There is. I suppose about 500 barrels a week are sold here in the season—seven or eight months.

6576. Would it run close upon 20,000 barrels in the year?—I should think so.

6577. Do you weigh at your own stores?—Except oats, which I weigh in the public scales. Oats are brought into the market and comes in gradually, but wheat comes in every day, and is never sold in the market.

6578. Do you receive a ticket with the oats?—Invariably.

6579. Do you test the weight?—I do, generally.

6580. Do you often find it wrong?—No, indeed.

6581. Do you make any charge at your stores for weighing or porterage?—No.

6582. What is your system of weighing corn?—Wheat, standing-beam to the pound, and deduct four pounds to the twenty stone. Oats, as the case may be, are weighed with half a stone, a turn of the beam, and no beamage.

BALTINGLASS, 20th December, 1852.

525. Mr. R. H. Anderson.

6583. If they choose, I suppose, you let them weigh standing-beam, with four pounds deduction?—I would be satisfied, but they never make a choice.

6584. Do you deduct the actual weight of the empty sack?—Yes; nothing more.

9585. Is the market accommodation in this town sufficient?—I think it is.

6586. Are the arrangements for weighing generally satisfactory?—They give me perfect satisfaction.

6587. Would you be in favour of a general market, in which all agricultural produce should be sold and weighed?—I find the present system to work so well, that I do not anticipate much advantage in a change. I have often weighed all the corn weighed in the three scales over again, and, taking the aggregate, I have found it perfectly correct, and it is less expensive than a public market would be.

6588. Would you be in favour of an assimilation of weights and measures?—Indeed I would.

6589. Would you be in favour of selling everywhere by the stone?—It might make matters more simple, at least under present arrangements, where the barrels vary so much. For a little while the farmers would not think it so simple, but shortly they would come into it.

6590. Would it not be desirable to weigh all corn standing beam, to the pound, and abolish all deductions?—Indeed I think it would, upon the whole, be the most satisfactory way.

6591. Would you think an enclosed market-place and market-house more convenient than selling in the streets?—Indeed it would; at this season we are greatly inconvenienced by wet.

6592. Would it not be better to give good accommodation at a reasonable cost?—If the cost were reasonable, it most decidedly would.

6593. Is the system of weighing through the town generally what you have described?—Exactly the same.

6594. Have you ever heard complaints of frauds practised by weighing in private?—No. I question very much whether any buyer has private scales except my own.

6595. Are you aware who is the proprietor of this market?—I should think the Earl of Aldborough.

6596. The magistrates have recently made some regulations with regard to the markets here?—They have; which have been found very satisfactory.

6597. Would it not be desirable to have all the markets of Ireland begin at a certain hour?—Indeed it would, for there is a nasty system of forestalling, when the buyers are not in.

6598. Were the weighmasters here appointed originally by any authority?—I think not; merely by general consent.

6599. There is nothing to prevent others from starting?—Nothing. I wish to remark that, when I said I was quite satisfied with the system of weighing, I think the principle of a general market, under authority, would be much more satisfactory; but I never had any reason—and I feel bound to the parties who weigh to say so—to complain, and they have always given me satisfaction; but I think the principle a very bad one; and it would be found much more satisfactory, if a market were established under proper control.

6600. The system of weighing in private under no control you consider objectionable?—It has worked very well here, but it is an objectionable system, and may be abused very grossly.

6601. Would you be in favour of having proper weighmasters sworn?—I would, decidedly; they sometimes manage very well here, and sometimes very slovenly; there may be a drunken porter put there to weigh; and, altogether, it is a very irresponsible system.

526. Mr. James Roche.

Mr. *James Roche* examined.

6602. Do you live in this town?—I do.

6603. Can you give any information as to the patent or authority under which the markets were originally established?—At one time Lord Aldborough leased the customs of the town to a man named Martin Higginson. Lord Aldborough got part of Mr. Carroll's property.

6604. Do you generally concur in the observations of the last witness?—I do.

6605. Would you be in favour of a public market, with a sworn weighmaster, and sufficient accommodation?—I think the system at present is unsound, and open to abuse; and it would be a sound good principle to establish a public market, which would give general satisfaction.

6606. Would you be in favour of an assimilation of weights and measures all over the country?—I do not think the present system interferes with the buyer or seller, for they understand it.

6607. But would it not be better to have weights and measures everywhere the same?—So far as I am acquainted with the country around, they are the same; the barrel of wheat or oats is the same here as it is in Dublin or Carlow; there is some difference in potatoes, but, generally, they are sold by the stone of fourteen pounds weight, not by the barrel.

6608. Would you be in favour of weighing standing beam to the pound, and abolishing all deductions?—If it were the same everywhere, it would be a very fair system.

6609. Do you think the streets an inconvenient place for holding fairs?—Not when we have good accommodation.

BALTINGLASS, 20th December, 1852

526. Mr. James Roche.

6610. Would you be in favour of having the fairs removed to a proper enclosed fair-green?—No; I do not think it would be an advantage to any party, when we have sufficient room.

6611. Are the fairs here good?—Some of them are very good fairs.

Mr. *Robert Parke* examined.

527. Mr. Robert Parke.

6612. Do you live in this town?—I do.

6613. Can you give us any information as to the patent or authority under which the markets in this town were established; do you know who succeeded to the Eustace property?—Sir Henry Harrington, but the family is extinct, and Sir James Carroll succeeded, of whom, Mr. Carroll, of Ballynure, is now the representative, and the proprietor in fee of the whole town; the patent was granted by Queen Elizabeth to Sir Henry Harrington, and purchased from him by Sir James Carroll.

6614. Who is the representative of Lord Baltinglass?—The Earl of Aldborough.

6615. Do you remember when tolls were collected?—I do; they were leased to Martin Higginson, by John, Earl of Aldborough.

6616. Were there tolls at the fairs?—There were; and there was a scales in the house, for which 3*d.* a sack was charged.

6617. Did Mr. Carroll ever let the tolls?—Never; I think Lord Aldborough has a right to the market.

Wicklow, December 22, 1852.

WICKLOW, 22nd December, 1852.

Mr. *Robert Halpin*, examined.

528. Mr. Robert Halpin.

6618. Do you reside in Wicklow?—I do.

6619. Are you Secretary to the Town Commissioners?—I am.

6620. Can you give us any information as to the patent or authority under which the markets are held in this town?—They are held by the Town Commissioners, as the successors to the old Corporation, under a charter of James II.

6621. Were the Corporation proprietors of the fairs and markets here?—They were.

6622. Did the charter give them a grant of the market?—Yes; it granted them the whole town.

6623. How often are your markets held?—On every Saturday.

6624. Is that the day mentioned in the patent?—I think it is.

6625. How many fairs are held?—Four; on 28th March, 24th May, 12th August, and 25th November.

6626. Are these fairs mentioned in the patent?—No; they were established some few years by the inhabitants of the town and the Commissioners.

6627. Did the Commissioners obtain any authority to establish them?—They did not.

6628. Are tolls paid at the markets or fairs?—No.

6629. Were they ever paid?—They were at the market under the old Corporation; but they were discontinued, because they were thought not to be for the general benefit.

6630. Where are the markets held?—In the streets.

6631. Is there a market-house?—There is; but it is not used, because the market people disliked coming there, thinking it a backward place.

6632. Is there an enclosed market-place?—No.

6633. All the agricultural produce, then, is sold about the streets and at the stores of the merchants?—Yes.

6634. Where are the fairs held?—At the upper end of the town, also in the streets.

6635. Have you public scales?—There is a public weighmaster, named John Ost, but he has nothing to do.

6636. When was he appointed?—I should think thirty years ago. If goods came to the market-place, he would weigh them.

6637. Does he keep beams and scales?—He does.

6638. Where are they erected?—In the market-house.

6639. Are they the property of the Corporation?—They are.

6640. Is there a scale of fees laid down for him to charge?—I think there was by the old Corporation.

6641. Are the scales ever used?—Not now; they were used, I believe, within the last four or five years.

6642. Is the weighmaster sworn?—I believe he was.

6643. Do the merchants make any charge for weighing at their own stores?—No.

6644. Where are potatoes weighed?—About the town, the same way as corn.

6645. Are the fairs held in the public streets inconvenient?—I think not.

6646. Do the holding them there generally give satisfaction?—I think it does.

6647. Would it be more convenient to have them held in the streets than in an enclosed fair-green?—I think it would.

6648. Is not the thoroughfare blocked up?—It is a kind of fair-green.

6649. Is it sufficiently large?—At present it is.

6650. Were there any fairs held before the establishment of these four fairs?—There were two fairs before, but they failed.

6651. Have the Town Commissioners any property?—They have, in landed and house property, about £500 a-year, and in harbour dues about £200 a-year.

WICKLOW, 22nd December, 1852.

528. Robert Halpin.

6652. How are they expended?—In improving the town.

6653. Is any of it expended in market improvements?—Not as yet. The harbour rates are expended upon the harbour, and the town property upon the town.

6654. Have you ever struck a borough rate?—Never.

6655. Is the town lighted or cleansed?—It is cleansed, not lighted; we have not the Act for lighting yet.

6656. You mean, you have not placed yourselves under that section of the Act?—Yes.

6657. How is the £500 a-year expended?—In widening the streets, purchasing old houses, making roads and sewers, and general cleansing.

6658. Would not an enclosed market-green be more satisfactory than selling through the streets?—As regards markets it would.

6659. And as regards fairs would it not be better?—The fairs are held here upon a green; they do not go straggling through the town.

6660. Could you give an idea of the quantity of corn sold here in a year?—I could not.

6661. Are there many buyers here?—About half a dozen.

6662. Do they keep stores?—They do.

6663. Do sales of corn take place every day?—Yes; there is no particular day for corn. There are, I have just been told, from 60,000 to 80,000 barrels of corn sold here in the year.

6664. Are potatoes sold every day?—They are.

6665. Then, in fact, a sort of a market goes on every day in the week?—Exactly.

529. Mr. W. Wilkinson.

Mr. *William Wilkinson* examined.

6666. Where do you reside?—In Wicklow.

6667. Are you in the corn trade?—I am.

6668. Do you buy corn about the streets?—I buy it before it enters the town. It is bought by sample, and I mark the sack, and if all the others are the same, it is right, and if not we return or cut them.

6669. Do you employ buyers?—I do.

6670. Are they paid by you?—They are.

6671. The farmer does not pay for them?—No.

6672. It is weighed at your stores?—Yes.

6673. Do you make any charge for weighing or porterage?—Not for weighing, but I charge 1*d*. a sack for porters.

6674. Does that do more than pay the porters?—I always give them what it makes.

6675. How many have you employed?—Three, constantly, and sometimes more.

6676. What is your system of weighing?—A turn of the beam.

6677. What is your smallest weight?—Seven pounds.

6678. It must be seven pounds or nothing?—Yes; but we sometimes give and take.

6679. What deduction do you make from the gross weight?—Two pounds.

6680. Then a man may lose seven pounds?—He very seldom does, for the sacks generally are overweight; sometimes they are eight pounds or ten pounds, and we only take seven pounds for them.

6681. Do you ever tare the empty sack?—Not unless it is very wet.

6682. Do you pay for every odd pound which may come out?—There are none in that way, not less than seven pounds.

6683. Do you consider the system of weighing in private objectionable?—It may be in some respects.

6684. Would you be in favour of a general market, with proper accommodation, an enclosed market-place, and a sworn weighmaster, making it obligatory to all, and weigh all agricultural produce there, the market to begin at a certain hour and close at a certain hour?—I would be an advocate for it; it would give us a great deal less trouble.

6685. Of course the charge should be nothing more than would support such a market respectably?—Nothing more; and I think it would be a great improvement.

6686. Would it not be a protection to the farmer and to the honest trader?—I think it would.

6687. Did you ever hear instances of fraud practised in weighing at the private stores?—The farmers would not allow us to do such things; it is rather the reverse, generally.

6688. But frauds may be practised without the farmer finding them out for a long time?—The porters would have no interest in committing fraud, and it is they who weigh.

6689. But would it not be better to have a sworn weighmaster, a person of respectability, in whom all could place confidence?—It would be much better, if it could be done.

6690. Would you be in favour of an assimilation of weights and measures over the whole country?—I think it would be much better; every one would understand it.

6691. Would it be desirable in such a public market to weigh standing beam to the pound, and abolish all deductions?—Yes, if it could be done.

6692. It could be done in a public market?—I think the two pounds ought to be left on account of the state in which the corn is brought in.

6693. Does not your present system encourage persons to bring in the corn dirty, when you make the same deduction however clean the corn may be?—Not the same; it is given in price.

6694. Then would it not be as well to abolish all such deductions, and regulate your price according to quality?—I think it would be a very fair system.

6695. Would there not be one great advantage in a well-regulated public market that

you could get the proper statistics of the country?—It would be a great advantage. We have very little power to do so now; but under the Act you speak of we would have the power.

529.
Mr. W. Wilkinson.

6696. In such a market would it not be very necessary to have heavy penalties for frauds upon the part either of buyer or seller, and the person at the head of the market to prosecute?—It certainly would.

6697. Would you be in favour of buying by the stone or by the barrel?—I think by the stone would, perhaps, be more simple.

Mr. *James Nolan* examined.

530.
Mr. James Nolan.

6698. Where do you reside?—In Wicklow.

6699. Are you engaged in the corn trade?—Not at present, but I have been; I am now in the shipping trade.

6700. Would you be in favour of such a general market as has been described?—I would, decidedly. I coincide entirely with the last witness.

6701. Do you think it would be a protection to the farmer and to the honest trader?—Certainly.

6702. Would you be in favour of an assimilation of weights and measures?—I would. I have had some dealings in the north of Ireland, where I found buying by the hundred-weight and stone a very simple way.

6703. You think it would be easier, as a uniform system, than buying by the barrel?—I think it would.

6704. Would you abolish all deductions, and let the merchant regulate his price according to quality?—Yes; I think in the end it would be much better.

6705. Would it not be very desirable to obtain the proper statistics of the country?—Certainly; they are very much wanted.

6706. Would there be any difficulty in obtaining a convenient place for establishing a general market here?—It would require some consideration; but I think such a place might be very easily procured.

6707. I suppose you would not allow the charge to be more than would support such a market respectably?—Certainly not.

6708. You would not have it a source of revenue for any body?—No; I think it is time to abolish all these things.

6709. Do you think the farmers would object to pay a small charge to support such a market?—They would object to pay anything, I think.

6710. Did Lord Fitzwilliam ever exercise any right here as Lord of the Manor?—No, he does not own all the town; the Corporation owns more than three-fourths of it in fee.

6711. Is there a butter-market here?—There is not.

6712. If you had a proper market, would it not be sold here?—I think it would. The farmers have to go round knocking at every door to try and sell it, and it is generally not inspected at all. The firkin butter is generally taken to Dublin and sold there.

Mr. *Halpin* re-examined.

531.
Mr. Halpin.

6713. Have the Commissioners taken any steps with regard to the markets of the town?—They tried to enforce having them held at a regular hour.

6714. But if corn were to be brought to the market-place for sale, would not the place be very insufficient?—It would.

6715. Have the Corporation sufficient ground at present unoccupied, without interfering with private rights, to make a place for a proper general market?—They have.

6716. And I suppose they would be glad to carry out any regular measure for improving the fairs and markets?—They have always shown that they would.

6717. I suppose your barrel of corn means twenty stone of wheat, fourteen stone of oats, and sixteen stone of barley?—Exactly.

Mr. *John Chapman* examined.

532.
Mr. John Chapman.

6718. Do you reside in Wicklow?—I do.

6719. Are you one of the Town Commissioners?—I am.

6720. Do you farm?—I do.

6721. Would you, as a farmer, be in favour of such a general market as you have heard described?—I would.

6722. Would you, as a farmer, object to pay a small charge to support such a market?—I would not.

6723. Do you object, on principle, to the system of weighing in private?—I do not object on my own behalf, for I believe there has been no fraud committed here; I am quite satisfied there has not; but I think the other plan would be much more satisfactory.

6724. Does it not offer great facilities for fraud?—It does; and I have heard that frauds were practised here some years ago to a great extent.

6725. Would you be in favour of having the fairs removed to a proper enclosed fair-green?—I would; I think it would be an encouragement to the farmers to send in their stock. With regard to the corn-market, I think there ought to be more than one day in the week for the market.—That, I think, would be quite optional with the townspeople.

WICKLOW, 22nd December, 1852.

533. Mr. John Hayden.

Mr. *John Hayden* examined.

6726. Where do you reside?—In Wicklow.

6727. Are you one of the Town Commissioners?—I am.

6728. Would you be in favour of a general market and a small charge for supporting it?—I would.

6729. And an assimilation of weights and measures?—Yes.

6730. Would you be in favour of buying everywhere by the stone, weighing standing beam, and abolishing all deductions?—Yes; and paying for whatever is delivered.

534. John Ost.

John Ost examined.

6731. Where do you reside?—In Wicklow.

6732. What is your occupation?—Town Sergeant.

6733. Are you weighmaster?—I stopped weighing shortly after my father died.

6734. Did you ever receive any appointment?—Never.

6735. Were you sworn?—No.

6736. Was your father weighmaster of the Corporation?—He was.

6737. Did you act for him?—I did.

6738. Did he get a regular appointment?—He did.

6739. Was he sworn?—I cannot say. I used to weigh any thing coming into the market for him, and I used to be paid 1*d.* a barrel on corn.

6740. Did the Town Commissioners fix any scale of charges?—They did not.

6741. You charged as you liked?—No; it was always the very same.

6742. Do you keep a book?—No; my father did.

6743. Did you keep the money you received?—I did.

6744. Are you paid a salary as bailiff?—I am.

7645. Have you been weighing lately?—Not these ten or twelve years; there has been nothing here.

6746. Was it during the time of the old Corporation your father died?—It was.

6747. Was it with their sanction you took his place?—I was allowed to remain where I was.

6748. To whom did the scales belong?—To the Town Commissioners.

535. A. W. Byrne, esq.

Andrew William Byrne, esq., examined.

6749. Are you a weighmaster for this county?—I am.

6750. Can you give us any information with regard to the fairs of the town?—Not of the town, for they are very little attended, and scarcely talked of as fairs; but with regard to Rathdrum and Roundwood, and other fairs, they are tolerably well conducted under the circumstances, but upon a bad system. Some are subject to charges, and some not, which causes a great deal of confusion, and very often fights. There is another defect; although a late law gives magistrates the power of interfering and settling disputes, still from the non-attendance of magistrates (except two or three, who are men of business, and have too much to do there to attend to settling disputes) the law is of very little use. Another great defect is, that stock of every kind are jumbled up together. At the fair of Roundwood it is particularly objectionable. It has become a great fair for horses, and I was going to write to the Government several times to assist me in making some arrangements by which the public would be protected from being ridden over in the streets.

6751. Who is the patentee?—I believe Mr. Trouton; and he lets it to a man named Fagan, a brogue-maker, to make the best he can. Some of the dealers endeavour to force their way out without paying, and some succeed, and there is terrible work there. The horse-fair is held in the town, which is also taken up on fair-days with standings of brogues and vegetables. Drinking takes place there; and people gallop their horses through the crowds, and some accidents have occurred; and unless some remedy be taken, some very serious affairs will happen.

6752. Would you be in favour of an enclosed fair-green?—Yes; I would not only have sufficient accommodation, but I would also have arrangements made by which there would be proper authority to enforce the rules, and I would have every description of stock classified—for instance, milch cows in one place, young stock in another, bullocks in another, and bulls by themselves—for they cause great inconvenience; stallions I would not allow in the fair, nor would I have them shown unless in some very retired place. These arrangements would wonderfully facilitate the business of fairs. Then I would either make the Stipendiary Magistrate attend, or let the police constable attend, and give him a summary power of settling disputes. There is another matter which causes the farmers to suffer very much with regard to the pig trade: a jobber comes in and buys a pig, and if the market falls towards evening he will give the pig a prod, and make it bleed, and then say he is measly, and he will not take it.

6753. In fact there should be some person to settle disputes of the kind, whose business it would be?—There should; or let every county magistrate take a turn of it.

6754. Would you object to pay a small charge for standings in a proper enclosed place?—Certainly not; it would be a great improvement; there should be also some person to keep the statistics of the fairs. At the green-hide crane, in Dublin, there is such a system. No records of the kind are kept here; and records of the fairs would enable the authorities to judge of the prosperity of the country.

WICKLOW,
22nd December, 1852.
535.
A. W. Byrne, esq.

6755. Would it not be also desirable to obtain returns of the markets, and the average prices of corn?—Certainly, it would.

6756. Do you think the farmers, generally, would object to pay such a charge?—No; I do not think they would; because they would have to pay much less than they generally have in customs at the present day. At Ashford they pay 3*d.* a head for cattle, and also at Cronroe and Roundwood. Some people thinking to escape the customs expose their goods, nominally, in the public way, and then there are disputes between them and the men at the custom gaps, as to whether they will charge. I think 1*d.* a head on cattle would rather over-pay the charge of keeping up a public market. At Rathdrum there is a very fine roomy fair-green, and it would be very easy to make the arrangements; but in Arklow it is a very miserable place—in fact it is all in the town. I do not think any thing in the country requires reformation more than the arrangements for fairs.

BRAY,
23rd December, 1852.
536.
John Dalton.

Bray, December 23, 1852.

John Dalton examined.

6757. What is your occupation?—I was appointed weighmaster of Bray.

6758. By whom?—By the present Lord Meath's father.

6759. Is he the proprietor of the markets?—Yes, he is the owner of the royalty.

6760. What are the market-days?—Tuesday and Saturday.

6761. What are the fair-days?—The 1st of May and 20th of September—two old fairs—and of late there have been four new fairs added in the year.

6762. When were the new fairs established?—I think in 1833 or 1835.

6763. Are you aware whether any patent was got for them?—I think so.

6764. Where are the markets held?—In the public street.

6765. Is there any market or fair accommodation?—None whatever.

6766. Are tolls paid at either the markets or the fairs?—People used to pay customs at the fairs, but of late they have been abandoned.

6767. When were they abandoned?—I think, to the best of my knowledge, about ten years ago.

6768. Was it in consequence of opposition they were abandoned?—It was.

6769. Were there any legal proceedings?—There were.

6770. Did Lord Meath collect the tolls himself, or did he let them to any party?—They were a gift to one of his stewards.

6771. What charges do you make for weighing here?—One penny for every draught, large or small.

6772. Do you ever charge more than 1*d.*?—Not unless for wool, which used to be 6*d.*, but there is very little weighed now.

6773. Is all the agricultural produce sold in the town weighed in your scales?—Not at all, nor the twentieth part of it.

6774. Where is it weighed?—Generally at home.

6775. Is there much corn sold here in the year?—A good deal.

6776. Are there any corn merchants?—There are a good many.

6777. Where do they weigh?—Sometimes at their own stores, or at the market scales, and a great many people have it weighed when they come in, and the merchants take their word for it.

6778. Is it compulsory to weigh with you?—Not at all.

6779. No charge made except they weigh with you?—None whatever.

6780. Have you any idea of the quantity of corn sold here?—I should think during the best season of the year, probably 5,000 barrels of oats, and nothing else is sold here.

6781. Where does all the corn go?—Four times as much goes to Wicklow as comes here. There are many market-days here when there are not more than six barrels of oats.

6782. What is the system of weighing corn here?—We take just a turn of the beam.

6783. What is the smallest weight you use?—Seven pounds, and two pounds for the sack, the same as the Corn Exchange regulations in Dublin.

6784. Do you tare the sack?—No.

6785. Do you deduct beamage?—On twenty stone of potatoes half a stone is allowed for dirt.

6786. Do you weigh to the pound?—No; if it does not come to the half stone we throw it out.

6787. Then the farmer loses the odd pounds?—If there are any odd pounds.

6788. Do you weigh butter?—Yes.

6789. What is your system?—With a cast of the beam; for any thing over sixteen pounds a pound is allowed, and beyond fifty-six pounds two pounds.

6790. What would you deduct for a hundred-weight?—I never weigh so large a quantity.

6791. Do you weigh wool?—Sometimes.

6792. How do you weigh it?—Sixteen pounds to the stone, and two pounds a hundred-weight, tare, but there is very little wool weighed.

6793. What tret?—Four pounds, if it comes to two hundred-weight. I have not weighed any wool these four or five years.

6794. What do you charge?—The charge was 6*d.* a pack.

6795. Do you sell corn here in barrels?—Yes, twenty stone of wheat, sixteen of barley, and fourteen of oats.

6796. What is the barrel of potatoes?—Twenty-one stone.

BRAY, 23rd December, 1852.

536. John Dalton.

6797. Do you keep a book in which you enter the articles?—I do not.
6798. Do you give a ticket?—I do, when required.
6799. If it is not required?—I mark it with chalk on the sack.
6800. Could you tell all the articles weighed by you in the year?—I would go very near it, for I enter a great deal of them.
6801. Could you give a duplicate if the ticket was lost?—I could.
6802. Does the market here begin at any stated hour?—No; early in the morning.
6803. Do people go out upon the roads to meet the produce coming in?—I think not.
6804. Do people ever purchase before daylight?—Sometimes they do.
6805. Are there jobbers in the market who buy the corn before the regular time?—There is no appointed time.
6806. Is there corn going to other places for sale, which would come here if there were a well regulated market?—Indeed I think not.
6807. Do you keep your receipts for weighing, or do you account to any one for them?—I keep them myself; I have no fixed salary.
6808. Are the beams and scales your own property?—They are.
6809. How often do you get them adjusted?—Generally once in the year, or perhaps once in two years, whenever the gentleman comes round to adjust them.
6810. Is there an inspector of weights and measures for the county?—There is.
6811. Where do you keep your beam and scales?—Opposite my own door.
6812. It is only a triangle, I suppose?—It is a movable triangle.
6813. Have your weights been inspected by the Constabulary?—I think not.
6814. Have you ever heard of frauds practised in weighing in this district?—I never did.
6815. Are there any corn stores or mills in the neighbourhood?—There are.
6816. The corn bought here is generally weighed at the mills, I suppose?—It is.
6817. What height are your scales from the ground at standing beam?—About nine inches.

537. The Earl of Meath.

The *Earl of Meath* examined.

6818. Can you give us any information with regard to the patent under which the fairs and markets in this town are held?—I cannot, at present.
6819. Would you be in favour of a general market, commencing at a certain hour, where all agricultural produce should be sold and weighed?—I think it would be a very desirable thing; the only objection would be putting the country to the expense of holding the markets.
6820. I do not know that it should be done by the country.—If it were not, I should forward it; it strikes me as very desirable.
6821. The scale of charges laid down should be only sufficient to remunerate the proprietor for giving proper accommodation?—Yes, I think that would be very desirable; the same as the markets are regulated in most parts of England. There could be no possible objection, I think, upon the part of anybody.
6822. Is there any inconvenience felt here from holding the fairs in the public streets?—Yes, I should think, very great inconvenience.
6823. Would not a proper enclosed fair-green be much better?—I should say so, certainly; it is a great nuisance to have the fairs held in the streets; and there is a very convenient place close here.
6824. Would it not be a better plan to make a small charge upon all cattle entering the fair, for a good standing, than the present system?—Certainly it would.
6825. Would you be in favour of an assimilation of weights and measures over the whole country?—Decidedly.
6826. And weighing all produce standing beam, to the pound, and abolishing all deductions?—Yes.
6827. Would it not be a great advantage, that in such a market, the proper statistics of the country could be obtained?—Decidedly; I do not think there could be an objection, on the part of anybody, to such a general market.

538. Marcus Donovan.

Marcus Donovan examined.

6828. Where do you reside, and what is your occupation?—In Bray. I am a publican; and I object to a general market, because the market at present is serviceable to publicans, and an alteration would be an injury to the sale of spirituous liquors. If the people are to pay a duty to Government for drink, the market should not be removed. I say every person in the county, and the owners of estates, would be opposed to any alteration in the present system.

539. Mr. John Quinn.

Mr. *John Quinn* examined.

6829. Would you be in favour of a general market in the town, with proper accommodation?—If I could see my way with regard to the amount of expense to the public.
6830. Of these, there should be no charge more than would be sufficient to support such a market?—The place where the market should be held would be a matter of very great importance; and it strikes me that there is only one place in Bray, or that part of it in the county Wicklow, where it could be held; but it is a very valuable field, and if it were to be occupied twice a week, the owner would require very considerable remuneration.
6831. That would be a matter for the proprietor of the market to get the most con-

venient locality.—I think the greatest complaints about the markets hitherto have been the want of any regulations, as regards the hours of selling; some parties going out upon the roads and buying from the farmers before daylight, and then getting another profit in the market, which is injurious to the consumer. I do not think there have been many complaints of false weights.

539. Mr. John Quinn.

6832. The objections you have mentioned would be removed in a public market, because all corn coming within the limits of the market should be sold at a certain hour?—Bray is going to be a very important place in future, and that would certainly be a step in the right direction. If we could get rid of the system of slaughtering cattle upon the foot-paths, it would be very desirable.

6833. Have you no Town Commissioners here?—No. There was an attempt made to obtain them, and all the gentlemen around the town voted unanimously for them; but the next step was to raise a very small tax, and when it was about to be raised, the very same gentlemen voted against it. There being no market-place or boundaries to the town defined, before we undertook the matter, it appeared to us that the market-place should be confined to within a radius of a mile, and it was very natural that the gentlemen living within that radius should pay some *quota* towards the expense; but when we went to carry out the Act, those gentlemen construed the Act in such a way that, as their gate-houses only were on the high-road, and we did not intend to go up their avenues to clean the walk or to light them, they had no right to pay any part of the tax, which they threw altogether upon the houses and streets of Bray. The thing was then abandoned.

6834. What is your population?—I think about 4,000.

6835. In addition to a general market, would you be in favour of an assimilation of weights and measures?—To be sure I would. It is the greatest absurdity in the world that we cannot know what people are doing in other parts of the country.

6836. Would you be in favour of abolishing all deductions in the nature of beamage, and paying the farmers for what they have?—I would. I think, in the deductions made upon wool, the most outrageous robbery was allowed to exist. The poor country farmer sells his wool at so much a stone, and then the buyer deducts for beamage, and matted fleece, and other deductions, and puts him beyond calculation altogether. I have been trying to have wool sold by the pound here, and I have succeeded to a certain extent.

6837. Would it not be desirable to extend that system to all agricultural produce?—Decidedly it would.

6838. In a general market should there not be heavy penalties for fraud upon the part of buyer or seller?—Certainly there should.

6839. Is the system of weighing in the stores and mills the same as has been described?—It is.

6840. The farmer may lose any odd pounds?—No. Suppose one sack weighs standing beam, and the next is a little heavy, they will be let go against one another; but, however, if a man likes to take out any odd pounds, there is nothing to prevent him.

6841. If a man were selling only one sack he might lose the odd pounds?—He might; but he would be allowed to take them out if he liked. In fact, he is only obliged to deliver fourteen stone nine pounds for the sack and the corn, and since the nine pounds were taken, I think the farmers have managed to increase the weight of their sacks to make up for the two pounds.

6842. With regard to fairs, would you be in favour of removing them to an enclosed green, out of the public streets?—Nearly all the fairs in the country are held in the public streets, but as far as I am personally concerned, perhaps I would rather not have them so; but the feeling among the people is that they are a benefit to a certain extent.

6843. To the shopkeepers?—Yes.

6844. But are not the streets inconvenient for the buyers and sellers?—I do not think they complain of it. It is more inconvenient to persons going through, stopping up the thoroughfares.

Mr. *Hugh Stafford* examined.

540. Mr. Hugh Stafford.

6845. Do you reside in the town?—I do.

6846. Would you be in favour of such a general market as has been described?—Certainly.

6847. Would it not be a benefit to the farmer and to the honest trader?—I should think so.

6848. Would you be in favour of an assimilation of weights and measures all over the country?—I would.

6849. And abolishing all deductions?—Certainly.

6850. Do you think holding fairs in the streets inconvenient?—Decidedly, to the general community.

6851. Is it so to the buyers and sellers?—I should suppose it is. I think with every fair there should be a slaughter-house established, which would prevent a nuisance much complained of in this town. I have a small property in the town, which suffers greatly from having slaughter carried on in the town. There is a Sanitary Board here, but they have given no relief in the world. If there were a place for keeping fairs and markets, there might, at very small expense, be a slaughter-house established, where all the butchers could slaughter.

BRAY,
23rd *December*, 1852.
540.
Mr. Hugh Stafford.

6852. A proper shambles?—Exactly; a proper shambles.
6853. Do you think any attempt now to place you under the Act in order to obtain Town Commissioners would be opposed?—Certainly not.

DROGHEDA,
30th *December*, 1852.
541.
Mr. Thomas Kelly.

DROGHEDA, DECEMBER 30, 1852.

Mr. *Thomas Kelly* examined.

6854. Where do you reside?—In Drogheda.
6855. Are you town clerk to the Corporation?—I am.
6856. Under what patents or charters are the fairs and markets held?—There are two fairs held under the 7th of James I., on the 11th of June, and 18th of October, old style, five days for each fair, with a court of *pie poudre*.
6857. Does that charter mention any thing about markets?—No. There is a more recent charter in the 10th year of William III. which gives four fairs yearly, on the 12th of May, 22nd of June, 26th of August, and 29th of October.
6858. What is the next charter?—That of William IV., in 1833.
6859. What does it grant?—Full power and authority to the Corporation of Drogheda to hold four yearly fairs, on every second Monday in March, every second Friday in April, every third Friday in November, and every third Friday in December, with reasonable tolls and customs, privileges and immunities.
6860. Then there are eight fairs?—There are.
6861. Are these eight fairs held at present?—They are.
6862. Are there any fairs besides these?—None.
6863. Have you any charter granting a market?—I am not aware of any.
6864. When are the markets held?—There is a general market on Saturday, and a cattle market on Thursday.
6865. When were they established?—The corn market is beyond memory; the Thursday's market was formerly held upon Tuesday, but it was changed about sixteen years ago.
6866. How were these markets originally established?—I cannot say.
6867. Were tolls ever collected at any of the markets?—They were.
6868. Are they collected now?—Not at all.
6869. How did you levy tolls if you had no charter?—There were tolls for every thing entering the town, I understand, but it was before my appointment.
6870. When were they abolished?—In October, 1842.
6871. For what reason?—There was opposition, and the people thought the tolls injured the trade of the town, other towns in the locality not having tolls; and there was also another reason—that the freemen of the old Corporation paid no tolls, and it was considered that that gave them an undue preference in trade. Immediately upon the appointment of the new Corporation they abolished the tolls. There was great quarrelling during the time of the old Corporation between the people and them.
6872. Were the tolls ever the subject of legal proceedings?—There were several actions in progress in the Queen's Bench, but they never came to an issue.
6873. Why did they not?—I rather think the parties abandoned them in consequence of the expense.
6874. Who were the parties?—The farmers of Meath and Louth.
6875. How many different kinds of toll were collected?—There was gateage toll upon every thing entering the town; there was pontage toll for every thing crossing the bridge, supposed to be for the repairs of the bridge, under the authority of the charter; and water custom, which also claimed to be levied under the charter.
6876. Did the same articles pay gateage and pontage?—I can give no information on that point from my personal experience.
6877. Are any tolls now charged here at all?—No; they were all abandoned.
6878. Is any charge made at the fairs?—None.
6879. How many market-places are there?—There is the cattle-market, held upon the new quay, at the north side of the Boyne; and the corn-market, held in a building erected by the former Corporation.
6880. Where is the butter-market held?—In a wing of the same building.
6881. Where is the potato-market?—In an open space, at the rere of the corn-market.
6882. Have you any other markets?—Poultry are sold there; and there is a fish-market in a building enclosed by the Corporation; and a pig-market, but the pig-market is held in an open space; there is also the Linen Hall; there is a vegetable market to the west of the corn-market, in an open space. Hay and straw are sold adjacent to the cattle-market, on Wellington-quay.
6883. Is there a weighmaster appointed for the town?—Yes; there is a weighmaster appointed by the Corporation, but not under the statute.
6884. Is he sworn?—No.
6885. Where does he weigh?—In the weigh-house, adjacent to the cattle-market.
6886. Does he charge cranage?—He does.
6887. Does he account to the Corporation for his receipts?—Yes; he gets a yearly salary, which the receipts hardly pay.
6888. In the weigh-house are there public beams and scales?—There are.

DROGHEDA, 30*th December*, 1852.

541. Mr. Thomas Kelly.

6889. And a weigh-bridge?—Yes.

6890. Is there a weighmaster at the corn-market?—There is a deputy of the head weighmaster, who attends there.

6891. Has he a scale of charges?—He has.

6892. Are the charges laid down by the Corporation?—They are.

6893. Is there any other weighmaster?—There is a man appointed by the Corporation, at the potato-market, but he charges nothing there.

6894. Who weighs the butter?—A deputy of the head weighmaster.

6895. Is all the corn which comes into the town sold in the corn-market?—Not a fifth of it; there is a market every day in the week for corn.

6896. Where is it sold?—The farmers come into town and employ men, who take about samples to the different merchants, and get the highest they can.

6897. Is it weighed at the stores?—It is.

6898. Is the corn sold in the public market always weighed there?—No; they sell by sample.

6899. Is the market there only upon Saturday?—Only on Saturday.

6900. What is weighed there?—A few sacks of corn for feeding horses, an odd sack of wheat, and a little at seed time; but the great bulk of the business is transacted by the merchants, at their private stores.

6901. Are the proprietors of the markets the Corporation of Drogheda?—Yes.

6902. No private proprietors claiming any right?—None. Tolls were formerly received, I may remark, by the Corporation, in kind;—of the corn sold at the market, they used to receive a hat-full.

6903. Would it be possible, in the present state of the markets, to receive any statistical returns of the yearly quantity sold?—It would be utterly impossible, unless by going around to the different merchants.

6904. Is there much butter sold in the town?—Very little.

6905. Is it all sold in the public market?—No, just the same as corn; but crocks, I believe, are sold in the public market.

6906. Is there any firkin butter?—Very little.

6907. Is there any charge made at the Linen Hall?—None.

6908. Where are your fairs held?—The cow fair is held at the north side of the town, in the public thoroughfare.

6909. Is there no enclosed fair-green?—None.

6910. Where are the other fairs held?—The horse fair upon the North Road, and the pig fair in Magdalen-street, and the sheep fair in Fair-street.

6911. All in the public streets?—Yes.

6912. There must be a considerable distance between these places?—Not much; they are all upon the north side of the river.

6913. Is it not considered inconvenient to hold the fairs in the streets?—There are a great many complaints about the horse fairs; it is rather a narrow road.

6914. Would not an enclosed fair-green be more convenient?—Indeed it would; the horse-fair upon the public road is extremely dangerous.

6915. Would the townspeople oppose having the fairs removed out of the streets?—I suppose the publicans of the neighbourhood would; but I think the public generally would not.

6916. Is there an inspector of weights and measures here?—There is; only for the county.

6917. Did you ever hear any complaints of the system of weighing in private?—I never did.

6918. Is there much forestalling carried on in this market?—Indeed there is; there is a class of persons called "whackers" here, a kind of corn agents, who watch the cars coming into the town, and bring them to the different merchants.

6919. Can the farmers sell their corn without making use of these persons?—They can, certainly.

6920. Do they do so?—Only sometimes.

6921. By whom are these persons paid?—They get 1*d.* a barrel from the buyer, but, I believe, they are often paid by both parties. I have paid them myself as a seller; they get as much as they can, in point of fact.

6922. Are these persons encouraged by the merchants?—The merchants profess to wish to get rid of them, and yet I do not see any combined effort to do so.

6923. Are they a necessary evil—could you do without them?—We could, very well, if we had two or three additional corn-markets in the week.

Mr. *John Morton* examined.

542. Mr John Morton.

6924. Where do you reside?—In Drogheda.

6925. Are you in the corn trade?—I am.

6926. Where do you buy?—Partly in the market by sample, and partly at my own stores.

6927. Do you buy direct from the farmers?—I do.

6928. You do not make use of the "whackers" then?—I do not. The "whackers" are a class of men who were at one time corn porters about the stores, and who strive to establish agencies; and the competition among the buyers was, at one time, so strong that they gave 1*d.* a barrel to these men for all they could bring.

DROGHEDA, 30*th December*, 1852.

542.

Mr. John Morton.

6929. Are they necessary?—No. We could do very well without them; and it would tend very much to the morality of the market, if we could get rid of them. They are paid 1*d.* a barrel by the merchant, but I think they get something from the farmers too, generally in drink.

6930. It comes out of the farmer's pocket in the end?—It does.

6931. Do they force their services upon the farmers?—I believe they do, to some extent.

6932. Do you always get the corn you buy by sample in the market?—I do not. I may buy 1,000 barrels, and not receive one hundred-weight; and if there is a rise, I may get none. I believe some of the farmers only exhibit their corn for sport, for they never give it at all.

6933. And if there were a fall, I suppose you might get their own and their neighbours?—Just so. We often buy through the "whackers" what we know we have bought in the market before, and have to pay more for it, and we cannot help ourselves. It is a bad system altogether. There might be some advantage in it if people could all be made honest by law, for I certainly think it is a lumbersome way to sell all by bulk; but I believe it is managed in some markets as well as our system.

6934. Is all the corn weighed at your own stores?—No. The farmers generally weigh it at home, and we only check the weight.

6935. Suppose a man has not the means of weighing at home?—Then we must weigh it; but we encourage them as much as possible to weigh at home, for in a crowded store it is very hard to get through all the business.

6936. Is there any charge made for weighing or porterage?—There is generally 1*d.* a barrel charged for wheat; and in order to keep the men from wrangling with the farmers, I stop the 1*d.* from the farmers, and give it all to the porters.

6937. In a good store, would not that more than pay the porters?—At times it would; but you cannot get good porters to remain unless you pay them high wages.

6938. What do the porters do?—They carry the sacks out and in, and in some stores they hoist them.

6939. Is not that making the farmer pay for the work of the merchant?—No; it is generally received everywhere that the farmers have a right to deliver their goods. When the store is not very much crowded, we allow them to employ their own men, and save the 1*d.*, for it is no benefit at all to us, except that it facilitates business.

6940. If the store were full you would not allow them?—No; It would create too much confusion.

6941. What is your system of weighing?—Standing beam, with one pound weights.

6942. Is that the custom of the town?—It is.

6943. What do you deduct?—Two pounds for beamage; some of our Mayors allowed four pounds, but two pounds is now established.

6944. Is there a discretionary power with the Mayor to that effect?—There is, at least some Mayors decided that four pounds were illegal, and others that they were not.

6945. Are there any other deductions?—Nothing but the weight of the sack.

6946. Do you always tare the empty sack?—We tare nine pounds for the sack and beamage.

6947. If the sack is under seven pounds?—Then the merchant has the benefit of it; but it does not often happen. There are some parties with bags which are very light, and they are allowed by private agreement the actual weight.

6948. If the sack be more than seven pounds?—Then we deduct the actual weight.

6949. Have you ever heard any complaints with respect to the system of weighing in private?—Not to my own knowledge; but I have heard of parties who complained that they were robbed.

6950. Does not the system offer very great facilities for fraud, if a party choose to be dishonest?—I think it does.

6951. Would it not be much better to have all the corn sold in a public market, and weighed there under a sworn inspector?—It would be very hard to get the quantity of business done.

6952. Would you be in favour of such a market, where all agricultural produce should be sold and weighed, provided it could be carried out?—I should be very glad to see it adopted. I do not know, not having had actual experience, whether it would be possible in such a market to get through the amount of work; but any thing would be better than the present system. It would be very desirable, if practicable.

6953. Would you be in favour of an assimilation of weights and measures?—Most certainly. It would be very desirable.

6954. Would it not be a good plan to abolish all deductions, weigh to the pound, and regulate the price accordingly?—I think it would; I can see no use in having beamage at all.

6955. Has it not the effect of keeping up a fictitious price?—Of course it has.

6956. Could you give any idea of the quantity of corn sold here in the year?—No; I made up the lists different times, but they were very irregular during the last five or six years. We ship a great deal of oatmeal; probably more than any other port in Ireland. There used to be about 10,000 barrels a-week, and probably there are still, for four months of the year.

6957. Would you be in favour of having the public market begin and close at a certain hour?—Decidedly.

6958. Would you prefer weighing and buying by the hundred-weight and stone, or by

the barrel?—I think the hundred-weight and stone would be a very good plan, the barrels vary so much. There is nothing so simple as the stone and hundred-weight.

6959. Would it not be very desirable to be able to ascertain, as you could in a well-regulated public market, the proper statistics of the country?—Very desirable, now that we are getting so much from abroad, that the quantity consumed in other localities should be known.

542. Mr. John Morton.

6960. Does corn imported here pay any charge?—Nothing but river dues; and these are upon the shipping; the corn pays nothing.

6961. Instead of having the farmers hawking their corn about the different stores, would it not be very desirable to have a market where all the buyers and sellers could meet, and where all would know the prices of the day, and competition would be created?—It would be very desirable. To give you an idea of what is paid to "whackers," I have given, in my office, as much as £8 or £10 a week to these men, which is all money thrown away, and comes out of the farmer's pocket in the end.

6962. There should be severe penalties in a public market for frauds practised either by the buyer or the seller?—Of course there should. If you compel all parties to sell in a public market, and make a penalty for every party taking delivery of what was not sold there, you will certainly mitigate the present evils. Whether you will take them away altogether is another matter; and I have heard many parties agree that a bulk market worked right well.

Mr. *Ralph Smith* examined.

543. Mr. Ralph Smith.

6963. Where do you reside?—A mile or two from Drogheda.

6964. Do you buy in this market?—Not latterly; but I used to buy a great deal.

6965. Did you buy in the corn market, or in the streets?—When I first went into business I bought all the corn in the market by sample, and the consequence was that during a long series of years, a great deal of the corn which I bought did not come in, and I was often very glad to buy the corn wherever I could get it, from jobbers, carriers, whackers, and all kinds of people.

6966. Was it competition gave rise to the whackers?—Competition, entirely. The system was commenced by fellows who used to go out and ask parties what they were getting for the corn, which they had sold by sample, and were bringing into town; and when they were told the price, offer to get them sixpence more. We suffered so much from that system, that we would buy nothing in the market at all, except from gentlemen well known to us; farmers with whom we had been dealing for many years, who we knew would deliver what they had sold.

6967. Do you mostly make use of the whackers, or do you ever buy direct from the farmers?—I constantly buy direct from the farmers; I think pretty equally.

6968. What do you pay the whackers?—One penny a barrel.

6969. Do you think them a necessary evil under the present system?—Under the present system, if we do not buy from them, we may not get the corn at all.

6970. Is your system of weighing the same as Mr. Morton's?—We weigh a sack or two, and ask the farmers how many they have—not in one instance out of twenty do we weigh all the sacks.

6971. I suppose the farmers here principally weigh the corn at home?—In this neighbourhood, almost every farmer has weights and scales of his own.

6972. Is not the system of weighing at the stores open to the objection, that there is no check whatever if parties choose to be dishonest?—Not a doubt of it.

6973. In many places we have heard of men who could pay 1*s.* a barrel more than others, and make it up in weighing, and drive respectable traders out of the market?—It is all in the system.

6974. Do you make any charge for weighing or porterage?—The custom of the trade is, that the seller puts the corn upon the merchant's loft, and a number of men attend about the stores to deliver the corn for them.

6975. There is a charge made of 1*d.* a barrel, is there not?—There is, but in my stores we know nothing about it; the farmers settle with the men outside, and if they did it for themselves, we would much rather have it.

6976. Would you be in favour of a general market, if it were properly carried out?—Most decidedly; then we should all have a fair scramble for the corn.

6977. Would you be in favour of an assimilation of weights and measures over the whole country?—Decidedly; an uniform system of dealing.

6978. What would you suggest as the best uniform system?—I think hundred-weights and stones

6979. Would you also be in favour of abolishing all deductions, and weighing as closely as possible?—I do not conceive that there should be any deductions whatever upon corn, when it is delivered equal to the sample.

6980. If it is not the farmer should be punished for fraud?—Precisely.

6981. Would it not be one great advantage of such a market, that you would be able to get the statistics of the country, which at present you cannot do?—Yes; but if I bought corn and had it delivered where it was not necessary to weigh, that would not come into the statistics of the country.

6982. If there were a proper corn-market, would there not be very little of these transactions?—I think the farmers would stop at the mills in the country, if it answered their convenience.

DROGHEDA, 30th December, 1852.

543.
Mr. Ralph Smith.

6983. What quantity of corn is sold here in the year, would you say 200,000 barrels?—I should say more; but it is a very wild guess of me to say any thing on the subject.

6984. Would it not be a very good thing to have a market every day?—I am strongly of opinion that necessity would compel us to have it.

6985. What would you think a good hour to commence?—I should say ten or eleven o'clock, or whatever would be convenient to the farmers. With respect to fairs, although we have eight fairs, yet I conceive it would be a great advantage to the people of the country, and the shipping trade in particular, to establish monthly fairs in addition. There are six or eight months in the year, particularly from July to Christmas, when vast quantities of cattle are coming in from people all over the country, many of whom would be glad to meet a market here, instead of encountering the sea risk of going to England. If you were aware of the immense quantity of cattle shipped from this port, you would be inclined to agree with me, that it would be a great advantage. We sometimes ship 2,000 head of cattle in the week; and 1,000 head a week from August to Christmas Day, would be, one week with another, about the thing—certainly 800 a-week. Then, in another season of the year there are sheep and swine.

6986. Would it not be a great improvement to have a proper enclosed fair-green?—I have no doubt some people would prefer having the fairs in the streets—the owners of public houses and other parties, to whom it is a great advantage to have a crowd opposite their doors.

6987. Do you think the parties frequenting the fair would object to pay a small charge for standings?—Indeed, I think they would.

6988. Do you think any man with a good lot of cattle would not prefer having an enclosed fair-green, where they would be safe?—No doubt he would.

6989. Is there not some clause in your Charter which enables you to postpone any fair within ten miles?—I think not. I recollect when we were getting four additional fairs, the gentlemen of Ardee came down, and it was arranged that the days we would have should not interfere with their market.

544.
Mr. Patk. Mathews.

Mr. *Patrick Mathews* examined.

6990. Where do you reside?—Within two and a-half miles of Drogheda.

6991. Are you a farmer?—Yes.

6992. Do you sell in this town?—I sell cattle here and in Liverpool. I sell corn at home.

6993. Do you approve of the present system of corn-selling in this town?—Indeed I do not; I objected to it years ago; and to the system of having nearly all the produce sold through third parties, called whackers, which is most objectionable.

6994. Does the farmer pay for it in the end?—The farmer and the merchant very often both pay for it.

6995. Would you rather have a bulk-market or sell by sample?—I would rather sell by sample in a three-days market, for this reason:—I consider, as an extensive farmer, that it would be objectionable to bring in twenty or forty barrels, and if I did not sell them, to have to take them back again. I would let the farmer sell by sample, and give him twenty-four hours to deliver it.

6996. How would you ensure his delivering it?—I suppose if there were an Act passed to establish a market, it would either impose a penalty or require a deposit.

6997. Does not every farmer who sends his corn to market know the prices of the day?—He may be more than 6*d*. mistaken.

6998. But if there were a general market he could not?—Of course he would know in a general market.

6999. Would you be in favour of an assimilation of weights and measures all over the country?—Decidedly; and sell by the stone and hundred-weight.

7000. Would you abolish all deductions?—I would; and pay every man for what he has, and regulate the price by it. If he has a ton, let him be paid for a ton.

7001. Does not the present system keep up a fictitious price?—Of course it does. I have, myself, seen a farmer deliver, I think, eleven sacks of corn, and when the sacks were weighed and tried, it was found that fifteen stone were taken to the barrel instead of fourteen.

7002. Have you ever heard complaints regarding the weighing in the private stores?—No; I never knew of any of the merchants of Drogheda having deceitful weights and measures; but I know that for twenty stone-weight they will take twenty stone ten pounds.

7003. Would not public scales, under sworn weighmasters, be a protection both to the farmer and to the honest trader?—Certainly, it would.

7004. Would you be in favour of beginning and closing at a certain hour?—I would.

7005. With regard to fairs, would you be in favour of having an enclosed fair-green?—I would.

7006. Would you object to pay a small charge on entering, to cover the expense of the field?—Certainly not; it would be a great advantage to me. I have seen many riots caused by having cattle sold in the streets.

7007. The thoroughfare is completely blocked up here?—Quite so; particularly by the horse-fair, which is very dangerous.

7008. Generally speaking, do you think the farmers would object to pay a small toll for

good accommodation?—They have a great dislike to pay any thing; but I conceive it would be for their advantage.

544. Mr. Patk. Mathews.

7009. Would it be possible to get a proper enclosed fair-green in a convenient place here?—I do not think there would be any difficulty. If I had a field convenient I would think it an advantage to me.

7010. Would you be satisfied to have corn sold by sample, but weighed in the public scales?—I think it should be weighed in the public scales, and that it should have the seal of the public weight upon it; but I do not think it should all be brought into one large focus, such as Drogheda.

7011. Then you would have different places?—Yes; or else, in a town like Drogheda, hanging upon the side of a hill, you must inconvenience many parties.

7012. Your principle objection seems to be the locality?—Yes; the position of the town.

545. Mr. Nich. Markey.

Mr. *Nicholas Markey*.—I beg to remark that there is no regular cattle-market here; or hour of beginning. It would be very desirable to have a regular market, and, if possible, that there should be pens established, like Smithfield, in a small way, and the cattle could be sold or removed by twelve o'clock.

7013. Would you be in favour of increasing the fairs?—I think it would be very necessary to have a weekly market here for the town and neighbourhood.

7014. Would you be in favour of a general market in preference to the present system? I would; I do not approve of the system by which this market is conducted at all.

7015. Would you make it compulsory to weigh in a public market?—No; I cannot see any necessity.

7016. Have you never heard any complaints of private weighing?—Never in that way at all.

7017. And if there were a general measure for regulating markets, would you have this town an exception?—No, certainly not; if it were a general rule I would certainly have it for Drogheda as well as for every other place.

7018. Do you think, generally speaking, the farmers of Meath and Louth would find it a hardship to have to bring their corn into one place?—I think they would.

7019. But if it were optional no one would use a general market. The market in Sligo has failed for that reason?—I believe it should be compulsory.

7020. Do you think the people would go there if it were not so?—I believe very few farmers would go there, and so I change my mind. What you have said about Sligo proves it.

7021. Yes; there is a very fine market there, with six pair of scales, and not one person in twenty uses it.

546. Mr. Peter Carroll.

Mr. *Peter Carroll* examined.

7022. Where do you live?—In this town.

7023. What is your occupation?—I am a farmer. I have to complain, with regard to the pig-market, that a poor man or poor woman who comes in with a pig in the morning will find a certain lot of jobbers, who have people employed not worth 2*d.* to buy for them, and they will buy the pig and keep it in the yard until evening, and the person who sold it will go perhaps and buy a couple of small pigs on the faith of being paid for it; and then a fellow comes and says the pig is measly, and if he does not submit to a cut he may take his pig away, which will be found to be sound after all, and lose his market. Sometimes these jobbers will put a mark upon the pig, without the owner's consent, and then no other jobber will buy it,

7024. Have you ever heard of parties buying pigs, and, if they do not sell them at a profit, throwing them up?—I have, often.

7025. Would it not be well to have an inspector to decide these matters?—It would be very well.

7026. Do you know of any persons buying at the fairs in the morning, and throwing the pigs up if the prices happen to fall?—Yes; we have a regular staff of jobbers who do so.

547. Mr. Anthony Smith.

Mr. *Anthony Smith* examined.

7027. Where do you reside?—At Ardee.

7028. Are you chairman of the Town Commissioners of Ardee?—I am. I would object to markets being held in this town upon Tuesdays, because that is our market day at Ardee, and I do not think it right to have it interfered with. I would also say that it would be better, in all probability, if you were to let the fairs here alone. At Ardee we had seven old fairs, which were always well attended—we have now twelve fairs, and they are not well attended at all.

548. P. Verdon, esq.

P. Verdon, esq., examined.

7029. Are you Mayor of Drogheda?—I am.

7030. Would you be in favour of having an enclosed fair-green, and removing the fairs out of the streets?—I would; parties living in the neighbourhood of the fairs might naturally object, from motives of self-interest, but as a public or general measure no man of common sense could object to it.

DROGHEDA,
31st *December*, 1852.

549.
George Ogle.

DECEMBER 31, 1852.

George Ogle examined.

7031. Do you reside in Drogheda?—I do.

7032. What is your occupation?—I am inspector of streets, and assistant weighmaster under the Corporation.

7033. What are your duties at the butter-market?—To weigh there.

7034. How many beams and scales are there?—There is one for pounds, a shop scale, principally for the accommodation of the market jury when any doubtful butter in pounds or half pounds comes before them, and a large scale, in which crocks and lumps are weighed, and any thing from seven pounds up.

7035. What is your market-day?—Saturday.

7036. Is any butter sold in the market except on that day?—No, except a little on fair-days.

7037. Any firkin butter?—None; the firkin butter which comes here at present is shipped direct. I may say it is all fresh butter which is sold in this market.

7038. What do you charge?—One half-penny up to ten pounds, and 1*d.* beyond that, and no higher.

7039. Do you give a ticket?—If the party requires it, but some of them do not.

7040. Do you keep a book?—No.

7041. No entry?—None.

7042. How, then, do you know the proper amount you have to hand over to the head weighmaster?—I hand him over whatever is in the till.

7043. Do you always account to him for the receipts?—I do.

7044. What do you usually receive?—The last day I only received 2*s.* 9½*d.*, and I have often received 15*s.*

7045. All you do is to hand the receipts to him at the end of the market?—Yes, and to get a receipt for the amount I give him.

7046. If any money were lost, or any mistake took place in reckoning, you would not know what was right?—I would not; I keep no record.

7047. Have you an assistant?—There is a man who receives the money.

7048. Suppose he were to keep any of it?—He could not; I remain there until the market is over. There is no one could keep any of it but myself, if I were inclined to be dishonest.

7049. What are the average receipts of a day?—About 9*s.*

7050. What is your system of weighing?—Rather down weight.

7051. Do you make the scale touch the ground?—Just touch; a quarter of a pound would turn it.

7052. You would not pass it if it were standing beam?—No, unless the complements were small.

7053. What is the smallest weight you use?—A quarter of a pound for any thing up to fourteen pounds; half a pound beyond that, up to fifty pounds; and over fifty pounds, one pound.

7054. What deductions do you make?—At the rate of four pounds a hundred-weight, and whatever the crocks will weigh.

7055. Suppose a crock of butter weighed fifty-six three quarter pounds, and it merely turned the beam, what would you call it?—Fifty-six pounds.

7056. In fact, when it comes to fifty-six pounds he may lose any thing short of one pound, besides the beamage?—He may.

7057. If a crock weighed fifty-seven pounds standing beam, all he would get would be fifty-four pounds?—That is all.

7058. What do you deduct in the small scales?—No deduction upon any thing short of seven pounds.

7059. Do you require the small scale to touch the ground as well as the large one?—Yes.

7060. Is butter ever sold here by the lump?—A great deal.

7061. But is it ever sold by the lump without weighing?—Not an ounce.

7062. Do you tare the crocks?—I did not formerly; but the people go to the crockery shops and buy the softest crocks and the widest at the bottom, and get them weighed by the crane-master and then stamped, and take them home and put the butter and pickle in them, and, in some instances, they will increase in weight two pounds or three pounds.

7063. Does the crock go with the butter?—Almost always. They sometimes pack the butter here in flour casks, just wrapping a cloth about it.

7064. How is the crock stamped?—It is branded with paint.

7065. Could not any one imitate the figures?—We would know the Corporation mark.

7066. Are there many frauds here in consequence of the difficulty of finding out the tare of the crock?—There are; and I think the crock ought always to be weighed.

7067. What is your system of weighing corn?—Mostly standing beam to the pound, and I deduct nothing; I leave that to the buyer and seller. There is very little weighed here except in seed time.

7068. What do you charge for weighing?—One penny a draught, independent of the weighing. I did not make 6*d.* in that way for the last month.

7069. What are your receipts in the year?—I think about £25.

7070. Are you employed at the fairs?—Yes; at the four old fairs.

DROGHEDA, 31st *December*, 1852.

549. George Ogle.

7071. Are you employed at the new fairs?—Yes; but there is nothing done there; I never made a shilling there.

7072. Do you get a yearly salary?—I do.

7073. What else is sold at your market?—Fowl and eggs; but they pay nothing for being sold there. I weigh wool also.

7074. How do you weigh it?—I weigh gross, and require a cast of the beam, just the same as corn, to the pound.

7075. What do you deduct?—I have nothing to do with that.

7076. Do you give a ticket?—I do.

7077. Do you keep a copy of it?—No.

7078. What do you charge?—Sixpence for a large pack; 4*d.* for a small one; and 2*d.* for a stone of sixteen pounds.

7079. Is there an inspector of butter?—No; there is a pierce there, and every one goes and pierces, and inspects himself.

550. James Cruise.

James Cruise examined.

7080. What is your occupation?—I am weighmaster; appointed by the Corporation.

7081. Do you receive a regular salary?—Yes.

7082. And account to the Corporation for the receipts?—Yes.

7083. When were you appointed?—I believe about eight or nine years ago.

7084. Did you take the oath of office?—No; I never was asked.

7085. How many scales have you?—I have an ounsel, and a large beam, and a small one, generally used for weighing oatenmeal.

7086. Are they all in the Corporation weigh-house?—They are.

7087. Have you any assistants?—One man.

7088. Is he paid by you?—No; by the Corporation.

7089. What do you weigh in the ounsel?—Hay and straw, turnips, mangolds, and green crops generally.

7090. What do you weigh in the beams and scales?—Corn, when it comes in; which is generally when there is a dispute between the merchant and the seller,; flour and oatenmeal, sugar and teas, butter, hides, scrap iron, rags, and in fact every thing.

7091 Have you a list of your charges?—I have; here it is.

Scale of Prices for weighing at the Town Cranes.

	s.	d.
For every draught under 1 cwt., to include the taring of drays, carts, cars, &c., with a crane note of the weights, . .	0	0½
Do., exceeding 1 cwt., do., do.,	0	1
Do., do., 3 do., do., do.,	0	2
Do., do., 10 do., do., do.,	0	3
Do., do., 20 do., do., do.,	0	4

WEIGHING MACHINE, NET.

	s.	d.
For every draught under 10 cwt. (including, as aforesaid), ...	0	2
Do., exceeding 10 cwt., do., . .	0	3
Do., do., 20 do., do., . . .	0	4

By Order of the Mayor and Corporation.

Drogheda, 16*th September*, 1846.

7092. Do you always tare the cart at the ounsel?—Always; and make up the weight, and issue a crane note.

7093. Do you never issue the crane note until the cart is tared?—Never; unless they agree among themselves, and come back and say the cart is so much.

7094. Have you ever heard of frauds in that way?—There might be; but I am very particular.

7095. If you do not tare the cart how do you know what to charge?—The parties generally come to an understanding about it.

7096. What can you weigh in the scales?—Any thing up to twenty-five hundred-weight.

7097. Do you make any charge for porterage?—No.

7098. How do you weigh?—Just a turn of the beam.

7099. Do you weigh to the pound?—Yes, certainly; and, where there is any dispute between the parties, to the half-pound.

7100. Do you always weigh gross?—Yes.

7101. Suppose you had twenty stone ten pounds, what would you call it?—Twenty stone ten pounds, and let the parties regulate the tare themselves.

7102. How do you weigh wool?—Avoirdupois weight, and if they bring it back to me, I deduct the forty-second part for tret.

7103. What does your ticket state?—The gross weight and the parties' names, and the Mayor's name underneath.

7104. Do you enter the same in the block?—Yes.

7105. If a man lost his ticket, you could give him a copy of it?—Certainly.

7106. Have you always kept a block?—Yes; always just the same.

7107. How often do you settle with the Corporation?—Once a quarter.

7108. What were your receipts for the last quarter?—Twenty-five pounds, one shilling, and eleven pence halfpenny.

7109. What is your salary?—Forty-two pounds a-year.

DROGHEDA, 31st *December*, 1852.

550. James Cruise.

7110. What persons have you under you?—My own assistant, who gets 8*s.* a-week, and a man, who gets 4*s.*, in the potato market; a man who gets 1*s.* for assisting in the market once a-week, and 1*s.* at each of the four fairs.

7111. Do you pay the man who was last examined?—No.

7112. What other expenses are there?—The expense of repairs and stationery.

7113. Is the house the property of the Corporation?—It is.

7114. How often do you get your weights adjusted?—Sometimes every three years; but there is a great deal of care taken of them.

7115. What would bring the scale down with a heavy draught?—One and a-half, or two pounds.

551. Owen Meehan.

Owen Meehan examined.

7116. Where do you reside?—In Drogheda.

7117. What is your occupation?—Deputy weighmaster at the potato market.

7118. Is there any charge made there for weighing?—None whatever.

7119. How many scales are there?—One scale; there is another belonging to a woman who retails potatoes by the stone.

7120. Has she any authority from the Corporation?—I do not know.

7121. Do you weigh small quantities?—Yes; from two stone up to fifty stone.

7122. Is the market enclosed?—It is not.

7123. Are you employed every day?—I am.

7124. Do you give a ticket?—I mark the weight upon the sack.

7125. What is your system of weighing?—Down weight; the scale must go near the ground; but it need not touch it.

7126. What is your smallest weight?—Half a-stone.

7127. If it were half a-stone standing beam, would you throw it out?—I would.

7128. Then a person may lose any thing short of seven pounds?—He may.

7129. What deductions do you make?—One and a-half stone on the barrel for the bag and dirt.

7130. Would it not be better to abolish all deductions, and pay according to quality?—That is what should be done; but the people do not bring in the potatoes fair at present.

7131. But if they bring them in properly clean, do you not make the same deduction?—If I knew they were fair I would not stop so much.

7132. How much would you stop?—One stone.

7133. Would it not be a much better plan to abolish all deductions, weigh to the pound, standing beam, and let the buyer regulate his price accordingly?—Decidedly, it would.

7134. Have you many forestallers here?—A great number.

7135. Do these parties raise the price much?—They do.

7136. What is the difference?—I have seen them charge 9*d.* a-stone for what they buy for 7*d.*

7137. Do they generally weigh fairly?—Well, I think they do.

7138. Do parties ever try the weight with you after these people?—Very often.

7139. Do you find them correct?—Generally, very fair.

7140. How many of them are there?—I suppose about twenty in the market.

7141. How many were there before the failure of the potatoes?—Only four or five.

7142. Have these people got scales?—They have.

7143. Has the Corporation ever attempted to get rid of those people?—The mayors, generally, had a great deal of trouble with them. The present Mayor had not so much trouble with them; because he went up and cautioned them, and laid down rules.

7144. Could you give any idea of the quantity of potatoes sold in the market during the year?—I could not. They sell potatoes at present along the road from the railway, instead of in the market. I recollect a man, one day, bought potatoes at 10*s.* a barrel in the road, and sold them in the potato market for 12*s.*; he sent his son in the evening to the man who sold them, telling him to send out another load next day, and he would give him a higher price: the man came out next morning himself with the load, and got 11*s.* for them.

7145. Are there porters in the market?—There are.

7146. Who pays them?—The farmers.

7147. What do they do?—Carry the sacks.

7148. Could not the farmer carry his own sacks?—Very seldom he has men; but if he has, he can carry them himself.

7149. If the farmers did not employ these porters, would they get to your scales quite as quickly?—I do not think they would; for no farmer's men can carry as well as these men.

7150. What do they earn?—Some days 2*d.* or 3*d.*; some days 1*s.* or 1*s.* 6*d.*

7151. Do these porters force themselves upon the farmers?—They do as much as they can to get the farmers to employ them.

7152. Do they porter for every one?—No; nor for half of them.

7153. What are they paid?—One penny per sack.

7154. Is there any thing to prevent the chalk marks which you put on the sacks from being altered?—I never knew it to be done.

552. Peter Hoey.

Peter Hoey examined.

7155. What is your occupation?—I am employed and paid by the Corporation to attend at the fish market.

7156. What is your salary?—Twenty pounds a-year.

DROGHEDA,
31st December, 1852.

552.
Peter Hoey.

7157. Is the fish market enclosed?—It is.
7158. What are your duties?—To see that the fish is fresh, and keep the market regular.
7159. Is it open every day?—It is.
7160. Is there any charge made there?—None whatever.
7161. Is any one allowed to sell there?—Certainly.
7162. Is any other person employed there?—There is a woman, named Margaret M'Gee, employed there by the Corporation to keep the place clean, and she receives two pounds twelve shillings a-year.
7163. Is the market sufficiently large?—It is.
7164. Is it well supplied?—It is a very fair market; there are about forty stores there for selling fish.
7165. Would you seize fish if it were bad?—No; I would make a complaint, and have the person brought before the market jury.
7166. Is the market the property of the Corporation?—It is.
7167. Are there scales there for weighing?—There are not.

Mr. *William Campbell* examined.

553.
Mr. Wm. Campbell.

7168. Do you reside in Drogheda?—I do.
7169. Do you hold any situation under the Corporation?—Yes; I am Treasurer.
7170. What markets have the Corporation?—The corn market, the fish market, and the general market, enclosed; they pay a ground-rent of £21 10*s*. 9*d*. for the corn market, and £60 for the fish market, the weigh-house, and the formation of the new quay, where they are.
7171. What proportion is paid for the fish market and weigh-house?—I cannot say; the Corporation pay £69 4*s*. 7*d*. for the Linen Hall.
7172. Is the Linen Hall free?—Formerly there was a charge for measurement, but I do not think there is any charge now.
7173. Is there any person in charge of it?—There is a caretaker, who is paid, I think, by the Committee of Weavers.
7174. Is the house the property of the Corporation?—It is.
7175. Have they a lease for ever of it?—They have. I believe it was built by public subscription, by the Committee of Weavers.
7176. What income have the Corporation?—They have about £3,000 a-year landed property.

Mr. *Michael Taggart* examined.

554.
Mr. Michl. Taggart.

7177. Do you reside in Drogheda;—I do.
7178. What is your occupation?—I am a partner of Mr. Murphy, in the egg trade.
7179. Is there a large market here?—No market except for retail.
7180. Where do you buy eggs?—The cars generally bring them to my stores.
7181. How many egg-buyers are there?—Five.
7182. Are ye the principal buyers?—We are.
7183. Would you be in favour of a general market for eggs?—I would be in favour of a general market, the same as the Dublin market. There is room in the north of the corn market for a shed to be built there, and it would pay in a short time.
7184. How many carts come in?—I should say about sixty in the week, one day with another; there is a season when ten loads a-week do not come in, and in the spring there may be six hundred.
7185. What is the average value of a cart-load?—About twenty pounds.
7186. That would make £65,000 all the year round?—Well, I suppose that much is sold.
7187. How would you get the Corporation, under the present system, to lay out money for a market, when, perhaps, the buyers and sellers might not use it?—Let the buyers build it themselves, and have the receipts for five or six years.
7188. In the event of a general Act, would you be in favour of obliging eggs to go into the market the same as corn?—I would; and I think all the egg-buyers would be in favour of it. There could be no underhand dealing then, when the prices would be declared in the morning.
7189. What are the inconveniences of the present system?—If we do not want eggs, and a customer comes in, you must take them then; or when you do want them he will not sell them to you. If we had a market we would have nothing to do but to buy through a factor.
7190. Could you not do without a factor?—Not so well; if we did, each man would have his own customers. Let the men put their eggs up to auction, the same as corn. The system is so long established we could not well get rid of it otherwise.
7191. Would it bring in more sales if you had a regular market?—Yes; for several persons at present go to Dublin in preference to Drogheda.
7192. Would it not bring more buyers, for it appears that a person cannot establish here now, as you have all your regular customers?—He cannot, unless he advances the price.
7193. Would you oblige parties bringing in small quantities to come to the market?—I would regulate a certain quantity—any thing over £2 worth or £3 worth.
7194. Do any of the retailers bring eggs to you to sell?—They do.

DROGHEDA, 31st December, 1852.

554. Mr. Michl. Taggart.

7195. Then would not a general market be a great advantage for all parties?—It would.

7196. To women with baskets of eggs?—Certainly.

7197. Is there a fowl market here?—There is.

7198. Do you export fowl?—We do.

7199. Where do you buy them?—In the market.

7200. Are they ever sold about the streets?—They are.

7201. Is there a large fowl market?—There is not. I should say, on an average, not more than £30 worth in the week.

7202. Are they sold every day in the week?—No; only on Saturdays.

7203. Do you think, if there were a general market, the people would complain if they were obliged to go there?—I am sure they would not. It would very much extend the trade of Drogheda if it were established.

555. Bernard Reilly.

Bernard Reilly examined.

7204. Do you live in Drogheda?—I do.

7205. What is your occupation?—A manufacturer of linens.

7206. Do you recollect the establishment of the Linen Hall?—I cannot say in what year it was established.

7207. By whom was it erected?—By subscription by the manufacturers. It was a free grant given by the Corporation to the trade, and then the trade subscribed for the building.

7208. Are you one of the Committee?—I am.

7209. Was there formerly a large trade in the town?—Yes; all the parties who made linen brought it there.

7210. Was there a charge made?—There was, at the time of getting up the building, 1*d.* on every piece; but square after square was built according as the funds afforded, and when it cleared itself, the charge was stopped, and it is now free.

7211. Why is it not used to the same extent now as formerly?—The trade now has taken a different turn; the large manufacturers have places within their own factories, and no one goes to the market but those whose means are too small to erect stores, or carry on a trade which would bring buyers to their place.

7212. Is Saturday the market-day?—It is.

7213. If a person has a quantity of linen, can he take it direct to the buyer?—No; the buyers will get their own goods in. At present the large manufacturers sell the linen directly themselves, and correspond with the merchants; whereas, formerly, all the small quantities were sold to the merchants, not the manufacturers; but the trade now has taken a different course altogether.

7214. What value is sold in the market generally?—Some days none at all, and perhaps other days the value of £200.

7215. Is that the largest amount?—There might be £300, or not more than £50, or, perhaps, none at all. Some have been out of the trade, and have to turn to work for other manufacturers.

7216. When you make linen do you take it to the Linen Hall?—Generally.

7217. To whom do you sell it?—To the buyers. There was formerly more sold in one day than now in six months; and there is nearly as much linen exported now as then, and nearly as many employed, but it is a different system.

7218. What used to be sold upon a good day formerly?—I dare say there would be more than £3,000 worth. Formerly the yarn was sold at the fairs, and bought by the small manufacturers; now the large manufacturers can order any quantity from the mill, and get it bleached ready to put into the hands of the workmen.

7219. How much do you make in the year?—I generally keep from thirty to forty looms on.

7220. Can you compete with the large manufacturer?—I can.

7221. Where do you buy your yarn?—Here, and in the north, and in Scotland.

7222. Are there many yarn manufacturers here?—There are three.

7223. Where do they get the flax?—From the north of Ireland.

7224. What will one loom make?—A piece of about one hundred yards a fortnight.

7225. How is the person paid who takes care of the Linen Hall?—He is not paid, but he has a house free.

7226. How do you keep the hall in repair?—There is one square of it let to Mr. Scott, of Dublin, and the rent he pays, £10 a year, keeps it in repair.

556. Mr. William Cairns.

Mr. *William Cairns* examined.

7227. Where do you reside?—Near Drogheda.

7228. What is your occupation?—I am a maltster.

7229. Do you buy entirely in this market?—Not entirely.

7230. Did you hear the evidence given here yesterday and to-day?—I did.

7231. Do you generally agree with the suggestions made?—I do.

7232. Would you be in favour of a general market?—I think it would interfere very much with existing trade. Suppose a man has sold me thirty or forty barrels of barley, and that they are bought at the market and weighed, and that when he comes to be paid for

it he says, "I have 100 barrels more, will you take them, to be delivered to-morrow or next week," now I think it would be a great hardship, and would interfere very much with the farmer if he were obliged to bring that, which he had weighed himself, to be weighed at the general market.

7233. But, if you do not make it compulsory, the market will remain just as it is at present?—I think the farmers would suffer very much if it were made compulsory. Suppose a man, living eight or ten miles from this, comes to the buyer at twelve o'clock, with 100 barrels, they will be taken into the store in an hour; but if they have to be taken to the market and weighed there, and then put on the carts and brought back again, the whole day will be spent.

7234. But if you have ten or twelve pairs of scales, with a weighmaster, and a complete staff for each?—It strikes me that it should, in any case, be a complete interference with the existing trade, and that it would be unsatisfactory to the farmer and to the merchant. The farmers I deal with weigh all their corn, and it is checked at my store; now, if it has to be brought into the market, and taken off, sack by sack, it will require a great many men and scales to do it.

7235. What check is there at present in the private stores upon any person who chooses to weigh dishonestly?—My observations entirely refer to corn weighed by the farmer. I think every sack belonging to the farmer, who has not weights at home, should go to the public market.

7236. Then would you make a law to arrange it—how would you decide what was to be weighed and what was not?—It should be obligatory on the farmers to put a certain weight in each sack.

7237. In this neighbourhood you are differently circumstanced from the rest of Ireland—you have a more intelligent class of farmers, who can detect fraud; but how are farmers in other places to be protected if the buyers are dishonest?—I agree that it should not be left to any trade to weigh the sack, if the weight has not been ascertained before; but I think it would be a complete interference with the freedom of trade if the farmer were compelled, after weighing his corn at home, to weigh it in a public market. It would not only be incurring expense, but putting the farmer to useless expense.

7238. What would be the inconvenience to the farmer to go to the public market, putting delay out of the question, for in markets where there is six times more corn to be weighed, it is weighed without delay?—It requires more labour, and the labour must be paid for.

7239. The buyer would not pay for it?—It would put more expense upon the trade.

7240. Did you ever hear of cases where certain buyers could give 6*d.* a barrel more than others, and, by making it up in weighing, drive respectable traders out of the market?—That system might stand for a while, but where there were respectable buyers they would still get the preference.

7241. I do not think that is the case by any means.—I speak only of this town.

7242. In buying by sample, have the merchants any security that they will receive the quantity they buy?—We have, in this market, because the persons we deal with are generally well known to us.

7243. You are an isolated case here?—I do not think we are.

7244. Would you be in favour of an assimilation of weights and measures all over the country?—I think a change might produce inconvenience.

7245. Is your only objection to the public market that the farmers, who have scales at home, would be obliged to come in there?—Yes; I think it would be a restriction upon trade, for I think anything a restriction which incurs expense.

7246. But it is to the farmer, not the merchant?—Yes; but it interferes with the price, and puts so much more upon it.

7247. Farmers lose more at present by your system of deductions and beamage.—Now there is another matter. Suppose I buy from the merchants' stores, must that corn be weighed?

7248. Not if it has already gone into the market. The question refers to corn coming into town.—I cannot see any difference between the cases.

7249. Then, in order to save a few farmers of Drogheda from a slight expense, which they themselves are perfectly willing to incur, you would oppose a general Act for the whole country?—I do not say that I would wish to have this town made an exception, if there were to be a general Act for the whole country.

7250. Is there any means of obtaining the statistics of the country except through the medium of a public market?—Probably there is not.

7251. Do not the "whackers" here ever take away the corn from you?—The sooner they are got rid of the better.

7252. But you cannot get rid of them unless you have a general market?—I would be in favour of a general market as a public check upon weighing.

7253. But if you leave it optional you must make a much higher charge, or how is it to be supported?—If all were to pay, a very small charge would do it.

7254. I should like to know what 100 barrels would cost?—Probably 100*d.*

7255. That is a great deal.—I am sure that farmers would be willing to pay more than that; they pay 1*d.* at most stores for porterage alone.

DROGHEDA.
31*st December*, 1852.

[*The following Return of the Receipts and Expenditure on account of the Markets was handed in by the Treasurer*]:—

MARKETS OF DROGHEDA.

INCOME.	£	s.	d.	EXPENDITURE.	£	s.	d.
One year's receipts, ending August, 1850,	105	7	3½	One year's expenses, including rent and salaries, ending August, 1850: Rents, £150 15 4; Salaries, 122 2 7	272	17	11
One year's receipts, ending August, 1851,	90	8	7½	One year's expenses, including rent and salaries, ending August, 1851: Rents, £150 15 4; Salaries, 114 19 5	265	14	9
One year's receipts, ending August, 1852,	84	7	1½	One year's expenses, including rent and salaries, ending August, 1852: Rents, £150 15 4; Salaries, 113 2 1½	263	17	5½
To balance paid by Corporation out of their income, being required to meet expenditure attending Markets,	522	7	1				
	£802	10	1½		£802	10	1½

NEWRY,
3*rd January*, 1853.

NEWRY, JANUARY 3, 1853.

John Boyd, esq., examined.

557.
John Boyd, esq.

7256. Are you seneschal of this town?—I am.

7257. By whom were you appointed?—By the trustees of the Kilmurry estate.

7258. Who are the proprietors of the markets here?—They are the proprietors.

7259. Are the Kilmurry family the patentees?—They are.

7260. And the estate is vested in trustees?—Yes.

7261. Who are they?—The Honourable J. H. Knox, Mr. Cust, and Mr. Higgins.

7262. When was the patent granted?—I cannot say.

7263. When was the market established?—I do not know the date.

7264. What are the market days?—Tuesdays, Thursdays, and Saturdays.

7265. What are the fair-days?—There is a fair upon the first Monday of every month.

7266. When were those fairs established?—About fifteen years ago. There were two old fairs upon the 29th October, and the third Monday after Easter Monday.

7267. Under what authority were the monthly fairs established?—By general consent.

7268. Are tolls paid at the markets at present?—There are not.

7269. Were there formerly?—There were; but they were abandoned, I think, about ten years ago, or perhaps more, because the people could not collect them in consequence of opposition.

7270. Were there any legal proceedings?—I think not.

7271. Is there an enclosed market-place here?—There is, for butter; and there was an enclosed grain-market, but it is not at present used. There is a flax-market also, held in the butter-market.

7272. Do sales of agricultural produce take place in the public streets?—They do.

7273. Is there a market-place for potatoes?—There is, but it is not enclosed; it is in the street. There is a house there where the potatoes are weighed.

7274. Is there a pork-market?—It is held in the street.

7275. Are poultry, eggs, fish, and articles of that kind sold in the streets?—There is a kind of market for them held in the street, but they are hawked about the town.

7276. Is there a weighmaster here?—Yes; one for the pork-market, one for the potato-market, and one for the butter-market.

7277. Appointed by the trustees?—Two of them are—the butter and the potato weighmasters. I believe it was I appointed the pork weighmaster. He put up beams and scales, and he weighs and is paid so much.

7278. Under what authority did you appoint him?—Merely as being seneschal.

7279. Did you appoint him with the approbation of the proprietors?—Yes, of the agent, at least.

7280. Is there a sufficient number of beams and scales here?—I should say not.

7281. How many are there?—One at the butter-market, one at the potato-market, and one at the pork-market.

7282. Is there a public ounsel?—No; there are some private ones.

7283. Where is the corn generally weighed?—At the merchants' stores.

7284. Are any of the weighmasters sworn?—None, but the butter weighmaster; I understand he is sworn.

7285. Is all agricultural produce weighed at the market scales?—No, it is weighed about the town.

7286. Where is corn bought?—Upon the different roads as it comes into town. There is a kind of gathering just opposite this place here upon the high road, and it is called a grain market, but the grain is purchased as it comes in.

7287. By whom?—By persons whom the merchants send out as their buyers.

7288. Are they employed by the merchants?—They are.

NEWRY, 3rd January, 1853.

557. John Boyd, esq.

7289. Not like the sky-farmers in other places?—Not at all.
7290. Is the corn then taken direct to the stores?—It is, and weighed there.
7291. The market does not begin at any regular hour?—Of course not.
7292. Do the three weighmasters keep books?—They do.
7293. Is corn sold by the barrel?—No; by the hundred-weight, of one hundred and twelve pounds.
7294. Have you ever heard complaints regarding the system of weighing at the private stores?—The farmers have frequently complained of unjust weight.
7295. Have you heard many instances of the sort?—Not many.
7296. Did any come before the magistrates?—They did.
7297. How were they decided?—Some were convicted and some escaped.
7298. Do you consider the system of weighing in private objectionable?—Very much so.
7299. Does it not offer facilities for fraud if a person chooses to be dishonest?—It does.
7300. No check in fact?—No check.
7301. Would you be in favour of a general market where all agricultural produce should be sold and weighed?—Yes; if proper accommodation could be given.
7302. Do you think it would be the fairest system both for the farmer and the honest trader?—Decidedly, it would.
7303. Would you be in favour of an assimilation of weights and measures, and an uniform system of dealing all over the country?—I would; and sell everywhere by the hundred-weight.
7304. Would you be in favour of abolishing all deductions under the name of beamage, or any thing else, and pay the farmer for what he has?—My idea would be to weigh standing beam, and allow, say for the sack of oats, two pounds.
7305. Would it not come to the same thing to weigh standing beam, and abolish all these deductions?—Well, it would; I do not see how it could be considered objectionable.
7306. Would it not be desirable to obtain the statistics of the country, which you could do in a proper market, and which, at present, are only obtained by guess-work?—I think it would; but it would be very easy to obtain these statistics in a market of this kind, for the merchants would all, I am sure, make returns of what they have purchased.
7307. But you could not find out the quantity purchased for consumption at home by the the present system?—No; you could not, certainly.
7308. What are your duties as seneschal with regard to the markets?—I go round the public market almost every Thursday, and see the different articles weighed, and ascertain if any buyer or seller has a complaint to make.
7309. Where are the fairs held?—The monthly fair is held at a place called Ballybot, in the parish of Newry, county of Armagh, in the open street.
7310. Are any tolls charged there?—None.
7311. Is corn sold upon other than market days?—It may be sometimes; but it is chiefly upon the three days appointed.
7312. Is there any thing to prevent it from being sold every other day in the week?—I think not; but there is very little brought in upon any other day.
7313. Has the lord of the manor appointed any weighmaster for the entire town?—Not for the entire town. I think it was by him the butter weighmaster was appointed. I may remark that we have no market at all for poultry, eggs, fish, or such other articles. The town is largely supplied with them, but there is no authority to take them to any certain place; and, therefore, the seller hawks them about the town, and disposes of them as best he or she may.
7314. Is bread sold by weight or by loaf?—By loaf.
7315. Would you be in favour of obliging it to be sold by the four pounds, two pounds, and one pound loaf, and let the price vary with the price of flour, the weight to be always the same?—Decidedly. At present every baker makes it just the weight he likes

Mr. *Joseph Lupton* examined.

558. Mr. Joseph Lupton.

7316. Do you reside in Newry?—I do.
7317. Are you in the corn trade?—I am.
7318. Do you employ buyers?—I do.
7319. By whom are they paid?—I pay them half-a-crown a day.
7320. Do you weigh at your own stores?—Yes.
7321. There is no public place for weighing corn?—None.
7322. Do you charge for weighing or porterage?—Yes; I charge the farmers 1*d.* a sack, and a ½*d.* a bag for porterage.
7323. Do you give that all to the porters?—I pay the porters, and deduct it from the farmers.
7324. Would not that do more than pay the porters?—Sometimes it would.
7325. What number of men do you employ?—Twelve or fourteen.
7326. Are they always enployed?—Not after the market is over.
7327. What is your system of weighing?—Standing beam.
7328. Would you pass it if it were standing beam?—I would.
7329. What is the smallest weight you use?—Four pounds.
7330. It must be four pounds or nothing?—Yes.
7331. What deductions do you make?—None, when the grain is equal to sample.
7332. A person may lose any thing short of four pounds?—He would not lose it if there were the least turn of the beam in the world; I give one time, and take the next time. I get it in one sack, and lose it in another.

NEWRY, 3rd January, 1853.

558.

Mr. Joseph Lupton.

7333. Then, if a person has his sacks trimmed exactly, it does not follow that he should lose anything?—No.

7334. He may be paid for every pound?—He may; there is no beamage taken whatever.

7335. Do you deduct the actual weight of the empty sack?—Yes, in every instance.

7336. You do not deduct a given amount?—No; just what it will weigh.

7337. Do you buy all by the hundred-weight?—Yes.

7338. The same system for wheat, barley, and oats?—Yes.

7339. Do you give a ticket to the seller?—I do.

7340. Do you pay for odd pounds?—Yes, for one pound.

7341. Is that the usual custom of the town?—I think it is.

7342. Are there many buyers in the town?—Ten or fifteen.

7343. Have they all stores?—They have.

7344. Do you think the system of weighing objectionable?—I do not think that ten public market cranes would weigh all the grain coming into Newry; and then it should be weighed again at the merchants' stores.

7345. You might do so if you choose?—I do not think all the grain could be ever weighed.

7346. What quantity of corn comes in here upon a large market-day?—I should think between 200 and 300 tons; the average is between 100 and 150 tons.

7347. That is about 2,000 barrels?—Yes.

7348. Suppose you had twenty pair of scales, would they weigh it?—They would.

7349. What check is there at present upon the buyer if he chooses to be dishonest?—The farmers generally weigh all their corn, and I should be very glad if every one of them weighed it.

7350. But suppose a man has not the means of weighing his corn at home?—We are getting into a better position now, and they will all be able to weigh; besides the farmers all stand by and see the corn weighed.

7351. Have you never heard of any frauds practised in weighing in private?—Not to a great extent; the town is very clear of that sort of thing.

7352. But is not the public scales the fairest test?—I do not think it ever could be done in Newry.

7353. In Cork it is done very well; there all the corn is sold and weighed.—What would prevent the farmers from taking out some of the corn on the road between the market and the stores?

7354. You can weigh over again if you suspect it, but it is very seldom done in the markets where the system prevails.—We cannot trust some of the farmers we have here; the delivery from the farmers has become considerably worse; their system of delivering the grain is becoming more fraudulent; we buy in the market at a certain price, and the bulk does not turn out equal to the sample.

7355. Would you object, as a merchant, to buy in such a public market?—I would.

7356. Why?—The corn should all be re-weighed.

7357. You would not be worse off even then than you are now?—If it were a general system, followed throughout Ireland, I would not object.

7358. We refer entirely to a general measure?—In that case I should not object to it.

7359. Would you be in favour of an assimilation of weights and measures?—Certainly; hundreds, quarters, and pounds, all throughout Ireland, England, and Scotland.

7360. Would you be in favour of abolishing all deductions, weighing standing beam, to the pound, and regulating prices accordingly?—If you could get the farmers to clean the grain.

7361. Pay according to quality; at present the same amount is deducted from a person bringing in the corn, clean or dirty?—But the price is not the same.

7362. Then why not take off these deductions, which are of no use to you, and a great annoyance to the farmers. Do you not think these deductions an encouragement to bring in the corn dirty?—They may have a tendency that way.

7363. If the farmer knew that he would be paid according to quality for every pound, would it not be an encouragement to him to bring in his corn clean?—Yes; I think it would.

7364. Would you be in favour of the market beginning and closing at a certain hour?—It should begin at seven o'clock, or there would not be time enough.

7365. At much larger markets where they begin at a certain hour, the sales are over in twenty minutes?—The grain is not brought in here in a certain hour; it is coming in all the day.

7366. But you could make it be brought in a certain hour. With regard to the system of deductions, we found in some places that the farmers used to bring in their corn quite clean, but when they found that the same deductions were still made, they mixed sand in it?—Yes; I have taken ten hundred-weight of sand myself in a day

7367. Do you mean nothing but sand?—Nothing but sand.

7368. Would it not be a desirable thing to obtain the proper statistics of the country, as you could in a public market?—It would.

7369. What course do you generally pursue, when corn in the bottom of the sack is not equal to the top?—I reduce it in price.

7370. Does the reduction rest with you?—It does

7371. Do you make the deductions in weight or price?—In price; but I give the party the privilege of taking the corn away.

7372. Would not the fairest system be to pay the farmer for what he has, and, if there

be any fraud, punish him?—I am sure, if the magistrates attended to every case I have, they should give up all their time.

7373. Do not the farmers sometimes suspect fraud where there is no cause, and would not a public market put an end to all that suspicion?—Well, I think it would.

558.
Mr. Joseph Lupton.

7374. Did not the merchants of this town hold a meeting to adopt regulations some time since?—They did, in 1849; and they adopted these rules which have been carried out since:—

NOTICE TO FARMERS.

At a meeting of corn merchants, held at the Commissioners' rooms, Thomas A. Kidd in the chair, the following resolutions were unanimously adopted:—

1.—Proposed by Joseph Lupton, and seconded by William Sinclair, "That all grain purchased by us in the Newry market be by the hundred-weight, nett, without deduction."

2.—Proposed by James Kidd, and seconded by Thomas Cardwell, "That we continue to weigh grain in the usual manner; using not less than a four-pound weight."

3.—Proposed by Hugh John Wallace, and seconded by William Henry, "That all empty sacks and bags, in future, be weighed.

4.—Proposed by James Greer, and seconded by John Bodel, "That a porterage of 1*d.* per sack, and ½*d.* per bag be charged; one barrel of each kind of grain to be considered a bag."

5.—Proposed by D. Daly, and seconded by Robert Glenny, "That, as we have been subject to a considerable loss by the fraudulent delivery of grain, we are resolved, that when such fraudulent delivery occurs, we will exact a corresponding *reduction in price;* and, in case of dispute between buyer and seller, the matter to be referred to the magistrates."

6.—Moved by James Henning, and seconded by Isaac Smith, "That the foregoing resolutions take effect from 18th December next."

We, the undersigned, bind ourselves to the above resolutions:

KIDD, BROTHERS,	ROBERT GLENNY,
JOSEPH LUPTON,	JOHN BODEL,
WILLIAM SINCLAIR,	ISAAC SMITH,
JAMES HENNING and Co.,	WILLIAM HENRY and Co.,
CARDWELL and HOLDEN,	DOMINICK DALY,
JAMES GREER and Co.,	JOSEPH HAMILTON,
HUGH JOHN WALLACE,	CRAWLEY and COULTER,
JOHN BEST,	SAMUEL GLENNY and Co.

Newry, 12*th December*, 1849.

7375. Was it entirely a meeting of buyers?—It was.

7376. Were these rules different from the rules adopted before?—They were.

7377. What number of bags do you receive on a large day?—Perhaps 1,000.

7378. How many in the year?—I should say 20,000 loads, or 50,000 barrels.

7379. Is not the charge for porterage more than sufficient to pay the porters?—It is.

7380. It is part of the profit, in fact?—It is; it is taken into account in the price. It does not make up for the half-ton of sand I take out.

7381. What do those porters do?—They help the corn into the crane, and assist at the weighing and hoisting. I hoist part of the corn by machinery.

7382. How many porters do you keep?—Three all the year, and four more during eight months of the year.

7383. What do you pay them?—The highest, 12*s.* a-week, and the lowest, 1*s.* 6*d.* a-day.

7384. Is not the porterage part of the merchant's own work?—No; it is the custom of the trade.

7385. Would it not be the fairest plan to pay for every pound, regulate the price, and let the farmer know what he is getting?—What would you do to meet the half-ton of sand? and, at the rate they are going on, it may be a ton of sand soon.

7386. Pay according to quality. Your present system appears to punish the good for the bad.—Oh, not at all.

7387. Are not the deductions the same whether the corn is clean or dirty?—They are the same, but not the price.

Mr. *Thomas Alexander Kidd* examined.

559.
Mr. T. A. Kidd.

7388. Do you live in Newry?—I do.

7389. Are you in the corn trade?—I am.

7390. What quantity do you buy?—In a large market, perhaps sixty or seventy tons of oats.

7391. Do you buy all kinds of grain?—Wheat and oats, principally.

7392. Is the system detailed by Mr. Lupton that adopted by the buyers of the town generally?—We take a turn of the scale, and use no less a weight than four pounds.

7393. Then a person may lose any thing short of four pounds, but it does not follow that he should?—Just so.

7394. If it were four pounds standing beam, would you pass it?—In some cases I would, but not usually.

7395. Would you require the scale to touch the ground?—I would just turn the scale; but they are hung so low, a turn makes them touch the ground.

NEWRY, 3rd January, 1853.

559. Mr. T. A. Kidd.

7396. What height are they from the ground?—I suppose from four to six inches; they require to be hung low for the convenience of getting in the sacks.

7397. Do you concur in the opinions of Mr. Lupton?—No; I would be very glad to see a public market.

7398. You would be in favour of having a general market, with proper accommodation, and sworn weighmasters?—Yes; but I think if, instead of having them all at one market, you had a number of inspectors at the different stores, it would meet all the objections.

7399. That has been tried; and at a public market one superintendent would be sufficient, but otherwise you should have some twenty persons. But you would be in favour of a general market?—Most certainly.

7400. Have you ever heard complaints that some buyers do not deal as fairly as others?—I have heard complaints, but I would not vouch for their credit, and I think competition would make people act fairly; if farmers are treated badly by any person, they will not go to him again.

7401. Did you ever hear of some parties who were able to give a higher price than others?—I think prices are much the same here.

7402. Do you consider the system of weighing in private an objectionable one?—I would certainly prefer the public scales.

7403. Would you be in favour of an assimilation of weights and measures all over the country?—Yes; it would be very advisable to buy everywhere by the hundred-weight.

7404. Would not by the stone be more convenient?—No, I think the hundred-weight more so.

7405. Would you be in favour of weighing standing beam, to the pound, and abolishing all deductions but the actual weight of the empty sack?—I would, as an uniform system.

7406. Do you pay for odd pounds?—I do, for one pound.

7407. Would it not be desirable to obtain the proper statistics of the country?—It would be very much so; the statistics now published always come a year too late.

7408. Do you mean the statistics collected by the Constabulary?—I do.

7409. With regard to porterage, do you make the same charge as Mr. Lupton?—Yes; 1*d.* a sack, and ½*d.* a bag. I think there is some misapprehension upon that subject; before it was paid there were always seven pounds taken off the sack, and five pounds for the bag, and when that was abolished the charge for porterage was put on as an equivalent; now we weigh the sacks, and only deduct the actual weight; and on the change of the system that charge was put on. There was also 1½*d.* a hundred-weight, waste, which was merely nominal; if your ticket was marked payable, you paid 1½*d.* a hundred-weight; if not, it was deducted off; it was in fact a difference between the quality of the grain.

7410. Do you consider that the charge for porterage more than pay the porters?—We hoist by machinery.

7411. In fact it is not for porterage, actually, but a charge put on in place of another deduction?—Exactly. If there were an uniform system, I would not object to have all these charges abolished.

7412. Do you weigh the empty sacks in the same way as you weigh corn?—Yes; only that we weigh sacks, of course, to the pound.

7413. What do you consider you get on every barrel by not weighing with less than four pounds?—I consider it is very trifling.

7414. Do you make two pounds on every barrel?—I think not. We do not weigh by barrel, and if there are small bags, two are put into the scale at once. I would suggest with regard to a public market, that there should be no tollage whatever.

7415. There should be a charge for weighing?—I do not think there should be any charge.

7416. How would you support such a market?—That I cannot tell; you might have some fund or some endowment for it; but there is a great objection to paying tolls, and in other towns they caused a great deal of annoyance.

7417. Would not the three farthings a barrel porterage be well applied for the purpose?—I think any toll would be very objectionable. With regard to another matter, there was a statement made here, that where anything fraudulent occurs, it should be punished. I brought a case here, and I was very much dissatisfied with the decision of the magistrates. The law states that the whole of the grain should be forfeited; but as the magistrates administered it here, only the bad part was forfeited. Mr. Boyd was on the bench at the time.

7418. In any new Act, would you have the penalty recoverable before a magistrate in a summary way for fraud upon the part of the buyer or seller?—Yes; only let the law be carried out.

7419. How much was forfeited in the case you referred to?—Three or four sacks.

7420. Was not that a sufficient penalty?—I do not think it was.

7421. What was their value?—I should say about £10 or £12.

7422. Then you think, if a man had one sack bad, he should forfeit all?—That is the law. I think, however, that is too severe, and in many cases, I have preferred submitting to fraud, rather than have it inflicted. I would have a fine for fraud.

560. Mr. H. J. Wallace.

Mr. *Hugh John Wallace* examined.

7423. Do you reside in Newry?—I do.

7424. Are you in the corn trade?—I am. I beg to say, with regard to porterage, that both Mr. Lupton and Mr. Kidd hoist their grain by machinery; but I find that the porterage

takes very nearly the whole amount, when I have the grain hoisted three stories high by manual labour.

7425. How much do you buy in the course of the year?—I am not regularly in the market, perhaps only one or two days in the week.

560. Mr. H. J. Wallace.

7426. How many men do you employ?—About six men, perhaps, will hoist ten or fifteen tons of grain.

7427. Along with the men belonging to the farmers?—The farmers' men will only put the corn in the scales.

7428. Suppose the farmer had two or three hundred-weight, and his men and he were willing to assist in weighing, would you let him?—I would charge porterage for part.

Mr. *George Gray* examined.

561. Mr. George Gray.

7429. Where do you reside?—About a mile and a-half from this.

7430. Do you sell corn in this market?—I do.

7431. Did you hear the suggestions of the former witnesses as to the system of weighing?—I never saw standing beam used in the weighing of corn.

7432. The system you experienced was a turn of the beam?—Down weight; and if it came near standing beam, four pounds knocked off.

7433. It must be four pounds down weight or nothing?—Yes.

7434. Do you consider the system of weighing in private stores objectionable?—Decidedly; I would prefer a public market

7435. Would you prefer to pay a small charge to support a public market?—I would.

7436. Would the farmers, generally, object to pay such a charge?—I do not think they would.

7437. Would you oblige all agricultural produce to be sold there, and weighed by sworn weighmasters?—I would.

7438. Would you be in favour of an assimilation of weights and measures?—Decidedly.

7439. What would you consider the best system?—I think to weigh by the stone; we had it here before, and I thought it very satisfactory.

7440. Would you be in favour of weighing standing beam, to the pound, and abolishing deductions?—Certainly, I would.

7441. Have you ever heard of frauds practised in weighing at the private stores?—I have. I have weighed corn at home, and sent it into Newry, and did not tell the parties what the weight was, and they would not stand the weight there; so I sent for the merchant, and he said whatever the weight was he would pay for.

7442. What do you mean by not standing the weight?—The weights I put in were not sufficient. There were two men weighing before me, and one man said I had actually got fairer play than he had.

7443. Have you ever known other instances?—I sell to a very respectable concern in town, and I sent in a cart there, and went to the scales before the cart came in, and threw all the weights off; and in the scale where the weights were, there were three large stones. I took two of them out, and I found it required them all out to make the balance. I asked the clerk what they were put in for, and he said to make the scale balance; and I said "I pity the poor men who weighed here yesterday."

7444. What might these stones weigh?—About two pounds each.

7445. Do you think there are many frauds practised in private weighing?—I think so; and the farmers felt so much aggrieved, that they called a meeting, and the merchants refused to meet us; but previous to our meeting, they held a private meeting of their own, and framed resolutions; and six days after they were framed they put them into practice. Since then we have been paying 1*d.* a sack, and a ½*d.* a bag for porterage, although I know many cases where people were obliged to put up the grain themselves.

7446. What did the farmers do at the meeting they called?—It was of no use; for the merchants had resolutions framed, and we had to submit to them, or send to other places. I could point to some men who never sent a pound of corn here since, but sent it all to other places.

7447. That must be a great injury to the town?—It is; I know several farmers who made a promise not to bring corn into the town again, and kept it. I may also remark, that there is no use in cleaning our grain here, for we will get no more for it than for the worst stuff in Newry.

Mr. *John Ellis* examined.

562. Mr. John Ellis.

7448. Where do you live?—About a mile from town.

7449. Do you generally concur in the opinions we have heard expressed here?—I think our system here is a bad one, from beginning to end; there ought to be one uniform weight over the whole country—by the hundred-weight of 112 pounds. I have sold flax at Tanderagee, where there are sixteen pounds and a quarter to the stone, and consequently, on every 112 pounds, I lose twenty pounds of flax. I was also charged for storage for my own men throwing it off the cart into the merchants' stores. Now, as far as the selling of pigs goes, there could be no fairer way of weighing according to the system. I am sure our merchants are as respectable and honest as any other merchants, but the system is a bad one. Eleven pounds is taken off before the pork is declared a hundred-weight at all. Then they deduct eight pounds more, and in round numbers you may say that for every pig I sell I lose twenty pounds. If one of my pigs only weighs three quarters of a

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562. Mr. John Ellis.

hundred-weight, I lose as much as if the pig weighed four hundred-weight. Now, if you go into any of these stores a day or two after, all they will give you to the hundred-weight is 112 pounds, when the pig is salted. Perhaps we get more for the 120 pounds than we would for 112 pounds, but I would rather take the chance.

7450. Have you any remark to make as regards the selling of corn?—I never knew standing beam to be used; but of late I have been selling to Mr. Lupton, and, generally speaking, he only weighs one or two bags, for I weigh all the corn at home; and if he finds that they stand the weight he takes them all without going to any more trouble.

7451. Would you be in favour of a general market, such as has been described?—Most decidedly.

7452. As a farmer, would you object to pay a small charge to support it?—Not in the least.

7453. Would you be in favour of abolishing all deductions and regulating prices accordingly?—Certainly.

7454. And an uniform system of weighing?—Yes, by the hundred-weight. I have also to remark that the buyers do not make any distinction between good and bad oats, and that if you put the oats through the fan three times you will not get a single iota more than if you did it only once. I can also tell you that a good deal may be done by the man weighing holding the chain. I do not say it is done here.

7455. Would you be in favour of having the market begin at a certain hour?—I would.

7456. You think the farmers, generally, would not object to pay a small charge to support such a market?—I am sure they would not.

563. Mr. Jos. Carsewell.

Mr. *Joseph Carsewell* examined.

7457. Do you live in Newry?—I do.

7458. Are you a farmer?—I am.

7459. Do you sell in this market?—I do not; I have brought no oats into this market since the merchants changed their system, and I sell all my grain elsewhere.

7460. Would you be in favour of a general market?—I would.

7461. Would you object to pay a small charge to support it?—Certainly not; I could not expect that a market would be kept up if we did not pay something for it; and in the neighbouring towns we have an example, and why not follow it?

564. Mr. Isaac Curry.

Mr. *Isaac Curry*.—I am a magistrate of Newry, I have heard an imputation thrown out against the magistrates of this town, and I cannot sit here tamely and listen to it. I find by the Act of Parliament that the magistrates acted quite in accordance with it in the case alluded to to-day.

565. Mr. William Todd.

Mr. *William Todd* examined.

7462. Do you live in Newry?—I do.

7463. Are you in the butter trade?—I am.

7464. Where do you purchase?—In my own stores.

7465. Is there no public market?—There is, but we do not always buy there; sometimes we do.

7466. Is there a weighmaster and inspector there?—There is.

7467. Established under the 52nd of George III.?—I believe so.

7468. Do you inspect, weigh, and fix the price yourself?—Yes.

7469. Do you weigh to the pound?—Yes.

7470. Do you weigh standing beam?—No, down weight.

7471. What deductions do you make?—The weight of the firkin, which is very often a great deal more than is branded on it.

7472. Do you ever tare it?—Sometimes, but in a large market we cannot do so always.

7473. Do you make any deductions for beamage?—Five pounds on every firkin.

7474. Do you make any charge for weighing, inspecting, or cooperage?—Surely, 4*d*. a firkin.

7475. If the firkins are over a certain weight, do you pay for the extra pounds?—No, we pay for nothing over seventy pounds, and there is the same rule as regards the butter crane.

7476. Suppose there were eighty pounds gross, what would you pay for?—Seventy pounds.

7477. What is the reason of that?—It has been the custom of the town as long as I remember. Very few of the farmers now bring in more than seventy pounds—they are getting too wise.

7478. What quantity do you buy?—Some weeks 300 firkins, and other weeks only 100.

7479. Is this a large market?—It is.

7480. If there were a well-regulated public market, would you not prefer buying in it?—I would.

7481. If there were an uniform system, would it not be the fairest way to pay for every pound, and abolish all deductions?—I wish that were the case now. At present we often get wood in place of butter. The cooper sometimes brands less than the weight for his friends, and we cannot always strip the firkin.

7482. Generally speaking, do you think the tares are equal to the real weight?—There is hardly one honest firkin in Newry; there may be one firkin out of a large market, but not more.

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565. Mr. William Todd.

7483. Would you be in favour of having the casks branded and weighed before they are filled?—I would.

7484. Does not the beamage of five pounds tend to keep up a fictitious price?—It certainly does.

7485. Do you lose upon the whole by the tares?—We lose a great deal.

7486. Notwithstanding the five pounds beamage?—Yes; we cannot get as high a price as the merchants of Belfast, because the merchants of Belfast give all butter, but here the buyer gets a great part wood.

7487. Is there any butter shipped from Newry upon the qualification of the inspector?—There is, a good deal.

7488. How does it rank at the other side?—It ranks very well, I believe.

7489. Do you ever ship upon his qualification?—A little.

7490. Do you mark your own quality in it?—No; we never alter his brands.

7491. Is there any thing to hinder any person from altering his brands?—I never heard of it being done; we are all honest about Newry.

7492. Would you be in favour of having all the butter shipped upon the qualification of a sworn inspector?—I would.

7493. If it were to be made compulsory, you would not object to go there?—Not at all; I would be very glad of it.

7494. In such a market would you pay the farmers for every pound they have, and regulate your prices accordingly?—Certainly I would.

7495. What is the general weight of the firkin here?—Fourteen, fifteen, sixteen, or eighteen pounds; very few as low as twelve pounds. The coopers brand them with any tare, according as they are paid by the farmers.

7496. Suppose a firkin weigh twelve pounds when it is fresh, what should the cooper brand it?—Fourteen pounds.

7497. Does he always do so?—He does not; he often makes no allowance whatever for soakage. In Newry the firkins are generally twelve pound tares.

Mr. *Robert M'Clellan* examined.

566. Mr. R. M'Clellan.

7498. What is your occupation?—I am a farmer.

7499. Where do you reside?—About four miles from Newry.

7500 Do you approve of the system of weighing butter here?—I do not. There is a deduction of five pounds to the firkin, and if there is more than seventy pounds the seller gets nothing for the extra amount. About two years ago I was selling at the public crane, and there was a neighbour of mine, a poor man, who was a long time getting a firkin filled, and when it was put into the scale it did not move from the ground at all. I insisted that it should be weighed out, and the weighmaster refused. At last he weighed it, and there were three and a half pounds over, which the man lost, because it was over the weight. Generally speaking, the poor man is a long time filling the firkin, and cannot be accurate in the weight, and he loses whatever is over seventy pounds.

7501. Is he allowed to take it out?—No; unless, if it be not filled up to the heading, he will lose one farthing a pound.

7502. Do you sell in the private stores or in the public market?—I sell to Mr. Henning, and generally get the first prices.

7503. Would you approve of a public market?—I would like it very much.

7504. Would you pay a small charge to support it?—Certainly; I beg to say that I do not think the farmers get their firkins marked heavier than the real weight; and, whenever the merchants are suspicious, I have always found them to take the butter out and take the actual weight, and they all have coopers at their own establishments.

7505. Do you get your empty firkins weighed?—Decidedly; and branded.

7506. Did you ever pay for having them branded an extra weight?—Never, indeed.

7507. What is branded on the firkins?—If they weigh ten pounds, they are branded twelve pounds.

7508. The coopers allow for soakage?—They do.

7509. Do your firkins generally weigh less than is branded on them?—Not less; there are two pounds over branded on them.

7510. Do you think the merchants generally give fair quality?—Indeed I suppose they do. There is competition; and if one merchant does not act fairly, people will go to another.

7511. Do the farmers ever object to the present cranemaster?—I never knew them to do so; but there are very few firkins weighed there.

William Barrett examined.

567. William Barrett.

7512. What is your occupation?—I am butter inspector.

7513. By whom appointed?—By Mr. Knox.

7514. How long have you been butter inspector?—Thirty-four years.

7515. Were you appointed under 52nd of George III.?—I believe so.

7516. Who was weighmaster under the old system?—Mr. Knox.

7517. Did he receive compensation?—He did.

7518. By whom are you paid?—By Mr. Knox's agent.

7519. Do you inspect much butter?—Not so much now as a few years ago.

7520. How many firkins did you inspect last year?—Three thousand three hundred and sixty-three.

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567. William Barrett.

7521. Does your inspection generally give satisfaction?—I do not hear many complaints; but we cannot please all parties.

7522. What charges do you make?—One penny for inspecting, and 2*d.* for weighing and branding. The porter gets 1*d.* also, but I have nothing to do with that charge.

7523. Is the weigh-house sufficiently large?—It is; ten times as much could be weighed there.

7524. How long has the quantity weighed there fallen off?—Since the change of the Act.

7525. What quantity was weighed before?—One hundred and ten thousand firkins was the most.

7526. Is it now optional to make use of the market?—Just so.

7527. Is there any thing to prevent parties from changing the qualities you brand?—They should efface the brands.

7528. Might they not change the butter?—They might change the butter.

7529. There is nothing to prevent second quality from being put into the first cask?—It could be done.

7530. Have you ever heard of it?—No; but it might be done.

568. William Casey.

William Casey examined.

7531. What is your occupation?—I have been for thirty-seven years book-keeper of the crane of Newry. I register all the butter passing through the scale.

7532. Do you give a ticket?—In some cases.

7533. By whom are you employed?—By Mr. Knox.

7534. And paid by him?—Yes.

7535. Do you know what compensation he received?—I think, £1,084 14*s.* 8*d.*, the average of three years preceding 1829; and he gives credit for what is weighed in the market.

7536. What is your staff in the market?—An inspector, a weighmaster, book-keeper, and brander.

7537. Is there a porter?—Not a public porter; every merchant has his own, and charges 1*d.*; but the crane-master has nothing to do with that.

7538. What is your system of weighing?—As near standing beam as possible, with one pound weight; and deduct five pounds on every firkin weighing half a hundred-weight, and two pounds on every firkin weighing only twenty-eight pounds.

7539. Do you deduct the weight of the firkin?—Yes.

7540. Do you take the tare branded on the actual weight?—The tare branded on it; and it is a very great grievance to the merchants at present, for the coopers do not brand fairly.

7541. If the merchant requires it, do you strip the cask and weigh it?—Yes; but the farmers often say, if we attempt to strip them they will take them away.

7542. Then would you recommend a return to the system of the old Act?—So far as super-tares, I certainly would. The charge here used to be 3*d.*, Irish; but now it is 2*d.*, Irish, and 1*d.*, British, for inspection.

7543. Then it is less than 3*d.*?—It is.

7544. Do you get less than 3*d.*?—We do; for we send in a general bill to the dealer once a month; and in every 100 firkins, in place of 25*s.* we would get only 23*s.* 8½*d.*

7545. What would you charge the farmer?—We would not make less than 3*d.* for one firkin; but if there were three firkins the charge would be only 8½*d.*

7546. When you tare the firkin, do you make any extra charge?—We do not.

7547. Do you give a ticket?—If it is required. I have to remark that the flax market requires redress, for it is all weighed in private.

7548. What is the system of weighing?—Sixteen pounds to the stone, and a quarter of a pound for beamage.

7549. Do they weigh standing beam?—I believe not; but if it were brought to me, I would weigh standing beam. I was appointed by the flax market Committee alone, with two respectable flax buyers, to decide disputes regarding the flax market; and if we could not decide them, to call in a magistrate.

569. Mr. W. M'Cullagh.

Mr. *William M'Cullagh* examined.

7550. Do you reside in Newry?—I do.

7551. Do you purchase pork?—Yes.

7552. Is there a large trade here?—There was a rather large dead pork trade, and I think it is improving again.

7553. Is there a market?—Not a regular market; but there is a public crane, and weighmaster.

7554. Do you buy in the street?—Yes; my store is in the street, but the pork comes through the town.

7555. Are sales confined to the street?—We would wish to confine them to that street, but we cannot do so.

7556. Do you make any charge for weighing at your own store?—Four pence a pig.

7557. What is the charge in the public market?—We charge 8*d.* there, of which the cranemaster receives 4*d.*

7558. Do you reweigh the pork when it has been weighed in the public market?—Very seldom.

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569. Mr. W. M'Cullagh.

7559. How do you weigh?—By the hundred-weight of 120 pounds; and we take off eleven pounds tare on every pig, except upon a wet day, when we take twelve pounds. No matter what the weight of the pig, we deduct eight pounds from every hundred-weight.

7560. If there are any odd pounds, do you deduct from the quarter of twenty-eight pounds?—No, from thirty pounds.

7561. You are an exception in that respect?—I think not.

7562. Do you require down weight?—Yes, the scale must touch the ground.

7563. What would bring your scale from standing beam to down weight?—About one pound.

7564. Would you be in favour of abolishing all these deductions?—I would have no objection. Let the change be made in Belfast and we will follow it.

7565. Do the buyers give a price in proportion to the tares?—They do.

7566. Would you be in favour of a general market for pork?—I would; and let it open and close at a certain hour, and have it compulsory to weigh there.

7567. Would you pay a small charge to support it?—Certainly.

7568. Do you ever cut a pig for measles?—We cut to try for measles, or if the pig was badly killed.

7569. Do you mark the pig?—Yes.

7570. Have you ever heard of persons scoring a pig, and then saying he must cut so much for measles, and if the seller objects, throwing up the pig, and then no one else will buy the pig?—I do not know any cases of the kind here.

7571. Would you be in favour of having an inspector for pork?—Yes; I should be very glad of it.

570. Henry Wright.

Henry Wright examined.

7572. What is your occupation?—I am weighmaster at the pork market.

7573. By whom were you appointed?—By Mr. Boyd, the seneschal.

7574. Is all the pork weighed at the market?—It is not; scarcely half of it.

7575. Is it an enclosed market?—It is a yard, off the street.

7576. What is your charge for weighing?—Fourpence.

7577. Do you keep the receipts yourself?—I do.

7578. How many pigs did you weigh last year?—I suppose 1,600.

7579. Do you keep a book?—I do.

7580. What is your system of weighing?—Down weight, to the pound, and eleven pounds are taken off for tare, except upon a wet day, when twelve pounds are taken.

7581. The pigs are bought by the long hundred-weight, 120 pounds, and you weigh by the 112 pounds?—Yes.

7582. Do you give a ticket?—Only when it is called for.

7583. Can the persons porter for themselves?—No; the buyers who come here generally have porters with them, who follow them from one market to another, and get 1*d.* a bag. Persons buying belonging to the town give me 5*d.* and I employ porters; but those from other places only give me 4*d.*, because they bring the porters with them.

7584. Do you keep a staff?—No; I enter every thing myself.

7585. Do you keep a book?—I do; and enter the names and the weight.

7586. Do you ever bring the weight for short hundreds into long hundreds?—I do, if the farmers require me.

7587. What would bring your scales from standing beam to down weight?—About one pound.

7588. If a pig only weighs one hundred-weight, will a man lose twelve pounds upon a wet day?—He will, or if it weighs only three-quarters.

7589. What is the average weight of a pig?—About one hundred-weight and a half; we had a pig last Thursday which weighed over four hundred-weight.

7590. Then a man loses upon an average eight pounds to every hundred-weight?—He does.

7591. Have you ever heard of frauds practised in private weighing?—Not many; but I have heard of some.

7592. Have you ever known pigs lowered in price for measles, where there was no real cause?—Not for the last three or four years; but I have known such cases.

7593. Can a pig be easily sold with a mark put on it?—I have seen a measly pig which would not be taken by one man, sold to another man within the last month, sold for more than it was worth, but it was because the man was not a judge of it. I am very often called upon myself to decide between buyer and seller.

571. Mr. J. T. Stephens.

Mr. *James Thomas Stephens* examined.

7594. Do you live in Newry?—I do.

7595. Are you in the butter trade?—I have been this year.

7596. Do you buy in the public market or at your own stores?—I buy at both.

7597. Would you be in favour of a public market, with a sworn inspector, where it would be compulsory to have butter weighed, inspected, and sold?—I would, and have the firkins tared, and branded by some responsible person, such as the inspector of a public market.

7598. Would you be in favour of abolishing all deductions except the actual tare of the firkin?—I would, if the firkins were weighed and branded by some responsible person.

NEWRY,
3rd January, 1853.

William Murphy examined.

572.
William Murphy.

7599. What is your occupation?—I keep the potato market.

7600. By whom were you appointed?—By Mr. Henry, agent to the proprietor, about seven years ago.

7601. Is the market enclosed?—It is in the open street.

7602. Is there a market-house?—There is.

7603. How many beams and scales are there?—Only one.

7604. What is your scale of charges?—One penny a bag, independent of the weight.

7605. How do you weigh?—Standing beam, with five pound weights.

7606. Do you make any deductions from the gross weight?—None.

7607. Do you tare the empty sack?—No; I deduct five pounds for the bag, and seven pounds for the sack, if the parties are agreed; and if not, take the actual weight.

7608. Do you get much to do?—Not a great deal.

7609. What were your receipts last year?—I think about £7; but I keep no book.

7610. Do you account to any one for the receipts?—No.

7611. Are potatoes sold every day in the week?—No; on Tuesdays, Thursdays, and Saturdays.

7612. To whom do the scales belong?—To the trustees.

7613. Do you weigh any thing else besides potatoes?—A little oats, mostly from jobbers making meal for themselves.

7614. What is your system of weighing?—Four pounds is the lowest weight I use.

7615. What is the average weight of a draught?—About two hundred-weight.

7616. What quantity of oats did you weigh last year?—Perhaps three tons.

7617. Is there a public weigh-bridge here?—No; there is a private one, kept by Mr. Stewart.

573.
Mr. James Fagan.

Mr. *James Fagan* examined.

7618. Do you reside in Newry?—I do.

7619. Can you give us any information as to the patent under which the market is held?—The Kilmurry family are the patentees.

7620. Are the new fairs authorized by patent?—I cannot tell.

7621. What markets are there?—The Kilmurry family went to a great deal of expense in building markets. There was a butter market which is now closed up.

7622. Why is it closed up?—The buyers and sellers did not go there. The butter market covers half an acre of ground.

7623. Who is the present weighmaster?—Mr. Knox.

7624. Is he one of the trustees?—He is.

7625. Are there any other markets?—The pork market, the potato market; there was a corn and flax market, but it is closed.

7626. Are they still available?—They are.

7627. Are they all in one part of the town?—No; but there is only a short distance between them.

7628. Is there a meat market?—The late Lord Kilmurry rented a piece of ground for the purpose, for which £30 a-year is now paid by lease for ever, and it is now closed up.

7629. In the event of a general market, requiring the proprietors to give proper accommodation, and obliging all parties to make use of the market, would the Kilmurry family provide accommodation?—They would.

7630. Would the space be sufficiently large for weighing all the corn?—It would.

574.
Mr. James Morton.

Mr. *James Morton* examined.

7631. Where do you reside?—Four miles and a half from this.

7632. Do you sell flax?—I do; but not in this town. I think it would be a great improvement if the market commenced at a certain hour in the morning, say ten o'clock, and stopped at a certain hour.

7633. In fact you would put flax in the same list as all other produce?—Yes; I think it would be a great improvement.

7634. Would you be in favour of abolishing all deductions, and having an uniform system of dealing?—Decidedly; I think it would be better to have fourteen pounds to the stone of flax, instead of sixteen pounds and a quarter, as at present.

7635. Is flax weighed standing beam?—No, a turn of the scale.

7636. Do they weigh with less than one pound?—Every stone is weighed separate.

7637. Would the farmers be satisfied to pay a small charge for the support of a general market?—I think they would.

TANDERAGEE,
4th January, 1853.

Tanderagee, January 4, 1853.

575.
Mr. H. J. Porter.

Mr. *Henry John Porter* examined.

7638. Do you reside at Tanderagee?—I do.

7639. You are agent to the Duke of Manchester?—I am.

7640. When was the patent granted authorizing the fairs and markets here?—On the 28th of December, in the eighth year of the reign of James I., dated at Dublin.

7641. What does that patent grant?—The holding of a market and fair.

7642. On what day?—Wednesday, the market; and a fair upon the 5th of July and 5th of November, with a right to levy toll, and a court of *pie poudre*.

7643. How many fairs are held in the year?—Two old fairs; and there were monthly fairs attempted, but they did not prove successful.

7644. When were they established?—The attempt was made about thirteen or fourteen years ago, and they went on for some time. We raised some money by subscription to give premiums to induce people to go there; but we finally gave up the attempt, because it rather injured the old fairs.

7645. Did you get any new patent for them?—We did not.

7646. Are they now published in the Almanac?—They are not.

7647. Is the Duke of Manchester the present proprietor and patentee of the market?—He is.

7648. Are tolls charged at the market?—No; they were abandoned upwards of twenty-five years ago; there was an universal opposition got up in the north of Ireland to tolls; and at length the proprietors of the different estates thought it more prudent to give them up.

7649. Is there an enclosed market-place?—Not regularly enclosed, beyond the stalls for butchers.

7650. Where is the corn sold?—In the public streets, and weighed at the stores of the buyers.

7651. Where is the flax sold?—Also in the public streets.

7652. You have no market-house or enclosed market-place in the town?—None.

7653. Have you a public weighmaster?—We have a man who acts as public weighmaster, and charges the usual fees.

7654. Appointed by the Duke of Manchester?—Yes, the former weighmaster was, and his son continues to act. He returns to me the produce of his receipts, and we allow him a per centage upon the net proceeds.

7655. Has he ever been sworn?—He has not.

7656. How many public beams and scales are there?—There is one for pork, one for beef, and one for tow.

7657. Does the one man superintend both scales?—He does; he keeps a deputy at each scale.

7658. Where is flax weighed?—At the private stores.

7659. Has the weighmaster a scale of charges?—I believe he has.

7660. Have you a weigh-bridge?—Yes.

7661. Erected by the Duke of Manchester?—Yes.

7662. Is it under the superintendence of the same man?—No; under the superintendence of another man.

7663. Does he make a charge?—Yes; 3*d*. for every draught.

7664. Is all the agricultural produce of the town weighed at the public scales?—Hay and straw are generally weighed there.

7665. Is there a butter market?—A man rents a house here, and has two or three places, which were intended for butchers' stalls, fitted up for the purpose; and persons pay rent for them, and weigh in their own scales.

7666. It is not compulsory to make use of it?—Certainly not.

7667. Is much corn sold here in the year?—Very little. We had rather a good market some years back, but it went down in consequence of a large mill in the neighbourhood being burned. We have perhaps thirty or forty loads in the market day for portion of the year.

7668. How is corn weighed?—By the 112 pounds; two pounds beamage deducted upon every draught, and the sacks are weighed, and the tare deducted.

7669. Standing beam or down weight?—The scales must bump the ground twice; but if you go to buy bran at the same place it is weighed as nice as a guinea.

7670. Do they weigh to the pound?—No less weight than two pounds.

7671. What would bring the scale from standing beam to down weight?—Perhaps, one pound.

7672. Then there may be three pounds lost on every draught?—There may.

7673. Do they pay for odd pounds?—In paying for any quantity under fourteen pounds, the next lowest even price is paid. If the grain were 10*s*. a hundred-weight, the price paid would be only 1*d*. for odd pounds.

7674. Is there any charge made in private for weighing or for porterage?—None.

7675. Is there a public scale for weighing grain?—There is not.

7676. Are the sacks always tared?—They are.

7677. Do they weigh the sacks in the same way as the corn?—No; they weigh them nice, and deduct no beamage.

7678. Is firkin butter sold in the town?—There is, but not much. There was a great market here, but for the last eight or ten years there has been chiefly only fresh butter.

7679. You have no enclosed market-place, or inspector?—No; butter is sold in the public streets, and weighed at the merchants' stores.

7680. Do the buyers inspect, weigh, and fix the price themselves?—They do.

7681. What is the system of weighing butter?—The firkin is supposed to weigh fourteen pounds, and there are seven pounds additional taken off for soakage, and one pound on the draught. It has been known, that people have agreed with the maker of the firkin, to make it an extra weight, which is a fraud between the seller of the butter and the cooper who makes the cask.

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7682. Suppose the firkin weighs twelve pounds fresh, what does the cooper brand it?—Fourteen pounds.

7683. Do the buyers pay for over seven pounds?—They do not.

7684. Does the buyer charge for weighing or inspection?—That depends upon the arrangement made with the seller.

7685. Was there ever a butter market here under the 52nd of George III.?—There was a butter market here some twenty or thirty years ago.

7686. Did the weighmaster receive compensation upon the repeal of the Act?—Never.

7687. What is the system of weighing rolls of butter?—There is a deduction of one pound for twenty pounds until it comes to ten pounds, and then the deduction is half a pound.

7688. Is it weighed standing beam?—No; down weight.

7689. Is it weighed to the pound?—It is.

7690. It must be one pound down weight or nothing?—It must.

7691. What does it take to bring the scale from standing beam to down weight?—It would take six ounces at the very least. I have to make a remark upon that subject. If a person is selling a roll of butter, and that a dispute occurs with the buyer, the buyer will sometimes try the butter and disfigure it; then, when it is put into the scales, and if the seller does not agree to the price, he may take it to another buyer; but, as soon as he sees the mark, he will say, "you have been rejected by some other person; I will not have this butter at all." There is an understanding between the buyers, that if butter is disfigured they will not look at it.

7692. How is flax sold?—By the stone of sixteen and a-quarter pounds.

7693. Is the quarter pound beamage?—It is.

7694. Suppose there were sixteen and a-quarter pounds standing beam, would it be passed?—It must be down weight.

7695. Would it take another quarter to bring down the scale?—No, about ten ounces.

7696. Is all flax made up by the stone?—It is.

7697. Where is it sold?—In the streets, and the weight is checked at the buyers' private stores.

7698. Do the buyers charge for weighing?—A halfpenny a stone for the house where the men are paid. There is a store a few hundred yards from this, which the Duke of Manchester has let for £10 yearly, and the rent is paid half a dozen times over by the farmers.

7699. How much flax is sold here in the year?—On the 17th of November, there were 21,600 stones of flax sold, and there were two large markets since.

7700. If there were a very large quantity sold, would the same charge be made?—It would, unless by separate agreement.

7701. What is the average of a market-day?—I think one hundred tons on a market-day, for six months of the year.

7702. Then the farmers pay £900 a-year for stores?—They do. There is another grievance from which the people here suffer very much. There are people called jobbers, who go out and buy several loads of flax; and if they cannot sell it over again at a profit, they will get into some dispute with the seller, and then throw the flax upon his hands. It requires two magistrates to hear a case of the kind, and they can only fine the party 10*s.* under the 5th and 6th William IV., sec. 11, and a man may lose his whole day in that way.

7703. Are these things of frequent occurrence?—They are. Sometimes, too, when a man has sold his flax, if he meets a higher buyer he will sell it over again, and then it requires summoning before two magistrates, and the man can be only fined 10*s.* In forming an Act for the benefit of the markets, some provision for buyer and seller in that respect would be very desirable.

7704. In any change of the law there should be penalties summarily recovered for frauds upon the part either of buyer or seller?—Exactly.

7705. What is the greatest quantity bought in a day by the largest buyer in town?—About 1,500 stones, or in some instances, 2,000.

7706. What does he pay for his stores?—Six pounds a-year.

7707. What is the average price of flax?—Six pounds in town would be a low average.

7708. This must be a large flax market?—It is the best in the north of Ireland.

7709. Where is the pork sold?—It is sold in the public streets, and weighed at the public crane.

7710. Is it compulsory to weigh there?—It is the Duke's right that it should be weighed there, and on market-days it is weighed there, but on other days people weigh it at their own scales. Pork is sold by the long hundred-weight of 120 pounds, and weighed by the short hundred-weight of 112 pounds, and eleven pounds deducted for head and feet, except on wet days, when there is one pound more taken.

7711. Do they weigh down weight?—They do.

7712. To the pound?—Yes.

7713. What charges are made?—Two pence for carrying, 3*d.* for the public-house where the money is paid, and 3*d.* for weighing; 8*d.* each pig. The buyer deducts the whole 8*d.* and divides it into these proportions.

7714. What quantity is sold here in the year?—I think about forty pigs a day during the season, about six months.

7715. The weighmaster does not take the reductions at all into consideration?—No; these weights are always hung on the beam.

7716. How do they manage the bringing from short hundred-weights into long?—If the

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buyer happens to be a fraudulent person, and wishes to take an advantage, he can act in this way. Suppose the pig weighs two hundred-weight two quarters and twenty-three pounds, there are eleven pounds deducted, which leave two hundred-weight two quarters and twelve pounds.

7717. Is that done by the weighmaster?—It is done by the buyer. Then two hundred-weight two quarters and twelve pounds, are turned by the weighmaster into short weight; then, to ascertain the price, the buyer should bring it into long hundred-weights, but he deducts; eight pounds is deducted from every short hundred-weight, that is, twenty pounds from two hundred-weight two quarters and twelve pounds, which leaves two hundred-weight one quarter and twenty pounds. Now an ignorant man would not question this; but, in fact, he loses so much; and that it has been done frequently, there cannot be a doubt. If the deductions were made from the long weight it would be all right, but when it is made from the short weight, the seller loses so much. I do not say it is done in every case, but it is certainly done in some cases.

7718. What is the average price?—Forty-seven shillings last Wednesday.

7719. Then a man may lose 6*s.* 3*d.* on every pig?—He may. There is another point which I would like to mention. In buying a pig, suppose it weighed two hundred-weight twenty-nine pounds, and is bought at 39*s.* 11*d.*, the two hundred-weight are paid for at 39*s.* 11*d.*, and the odd pounds, at an even price of 3½*d.* per pound, which would be 35*s.* a hundred-weight for the odd pounds. The calculations are very difficult. There was one of the schoolboys, who learned mental arithmetic at our school, who made a very fair income some years ago, by getting a halfpenny from each farmer for making up the calculations for them. There is one other matter which I should like to mention. There was a combination here between some persons who called themselves pork merchants, and they fixed before the market commenced the price every day that they would give, and no one of them would exceed the others. If any man came in and raised the price, they would then go beyond him and give an exorbitant price, so as to drive every other dealer out of the market, even by giving a losing price themselves, and thus keep the market all to themselves.

7720. Does that system exist among all the buyers?—No; there are some independent buyers in no way connected with the matter. There is also a trick here: persons will score a pig, and then say that it is measly; and if he refuses to submit to an abatement in the price and takes it elsewhere, every one will know his pig has been rejected elsewhere.

7721. That is a great disadvantage?—Of course it is.

7722. Would you be in favour of having some party to decide between the buyer and seller?—I would; at present there is no criterion by which to judge what deductions should be made in such cases.

7723. Would you be in favour of a general market, with an enclosed market-square, proper accommodation, and sworn weighmasters, where all agricultural produce should be sold and weighed?—Most decidedly; I think it would be a great advantage to the farmers.

7724. Do you think the farmers would object to pay a small charge to support such a market?—I do not think they would; I think when they would know that they had a certain protection they would be willing to pay a certain sum.

7725. Would you be in favour of an assimilation of weights and measures all over the country, and buy everywhere by the stone or by the hundred-weight, whichever was considered the most convenient?—Decidedly; I think the hundred-weight would be the best mode of calculation, but I would yield to the opinion of any person more experienced.

7726. Would you be in favour of abolishing all deductions, weigh to the pound, and pay the farmers for what they have?—I would; I think it would be an advantage both to the farmer and to the merchant; the farmer would understand what he was getting, and the buyers could regulate their prices.

7727. Would you be in favour of the market opening and closing at a certain hour?—I think it would be desirable

7728. Of course you would have the charge nothing more than would be sufficient to support such a market respectably?—Certainly; nothing more.

7729. You would have heavy penalties for fraud upon the part of either buyers or sellers?—Certainly.

7730. How are potatoes weighed here?—By the hundred-weight of 112 pounds; persons bring their own scales and weigh them.

7731. Is not the system of weighing in private stores an objectionable one?—I think it is; public scales would be much better.

7732. Do you think it would be desirable that all butter should be inspected and weighed by a sworn inspector and weighmaster, before sale?—I think it would.

Mathew Guy examined.

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Mathew Guy.

7733. What is your occupation?—I am weighmaster.

7734. By whom were you appointed?—My brother holds the office, and I transact the business for him; my father held the office previously.

7735. Do you account to Mr. Pate for your receipts?—I account to my brother, and he accounts to Mr. Pate.

7736. How many scales have you?—Three; one for pork, one for meat, and one for tow.

7737. What are your charges?—Three-pence each pig; butter is weighed in a box of two hundred-weight or three hundred-weight, and I charge 2*d.* each box.

7738. In what do you weigh it?—In the meat scales.

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576. Mathew Guy.

7739. What do you charge for meat?—Four-pence a carcass, but it is frequently resisted.

7740. What for tow?—One penny for a hundred-weight of fourteen stone.

7741. Do you weigh any thing else?—Nothing more.

7742. What is your system of weighing pork?—Down weight, with one pound weights, and eleven pounds deducted off each pig.

7743. What would it take, with a pig of two hundred-weight, to bring your scales from standing beam to down weight?—About one pound weight.

7744. Then the seller may lose twelve pounds weight?—Yes—thirteen pounds on a wet day.

7745. Do you give a ticket?—I give the seller a ticket, and it is entered in the book, and the buyer gets a list.

7746. Could you tell, from your book, the number of pigs weighed every day for the last year?—I could.

7747. How do you weigh tow?—Seventeen pounds to the stone, that is, sixteen pounds, and ten pounds to the hundred-weight—allowance.

7748. Do you weigh corn?—Very little.

7749. How do you weigh it?—Standing beam, and two pounds to the draught.

7750. How do you weigh butter?—With a cast of the beam, and five pounds off the firkin.

7751. Suppose a firkin weighed two quarters nineteen pounds, what would you call it net?—Two quarters.

577. Patrick Hogan.

Patrick Hogan examined.

7752. What is your occupation?—I am a cooper.

7753. Do you make the butter-firkins?—I do.

7754. Do you brand the weight on them?—Yes.

7755. Where do you weigh them?—In the scales in my own shop.

7756. What do you charge for weighing?—I do not charge; I weigh them before selling them.

7757. Suppose a firkin when fresh weighed twelve pounds, what would you brand it?—The firkins must be fourteen pounds weight.

7758. But if it weighed twelve pounds what would you brand it?—I would brand it twelve pounds, but I make them fourteen pounds.

7759. Would it not make sixteen pounds when the butter is in?—Many of them do not soak one and a-half pound.

7760. Do you make many firkins?—I do.

578. Mr. P. M'Connell.

Mr. *Patrick M'Connell* examined.

7761. Do you reside in Tanderagee?—I do.

7762. Would you be in favour of a general market?—Quite so.

7763. And if the proprietor provided proper accommodation, would you protect him in his rights, and make it compulsory to weigh there?—Unquestionably.

7764. Do you think the farmers would object to pay a small toll to support such a market?—I am sure they would not.

7765. Would you be in favour of an assimilation of weights and measures over the whole country?—I would.

7766. And buy everywhere by the stone?—Yes.

7767. Abolishing all deductions?—Decidedly.

7768. Would you be in favour of having the market begin and close at a certain hour?—Yes; I think it would be well to close at a certain hour, to give facilities to all parties to go home to their business, and to the merchants to make up their accounts.

7769. Would it not be an advantage that you could get the proper statistics of the country in such a market, and not have the difficulty which we had to-day to find the average quantity, price, and amount of all articles sold in the market?—I think it would be very desirable, and it would be the duty of Government to have it done, if possible. With regard to the question of forestalling, which has been alluded to, I beg leave to observe, that when eggs and poultry are being brought in, parties go out and catch the sellers coming into town, and buy them there, and carry them away; so that the general buyers, that is, the townspeople, very often cannot get any.

7770. Are the eggs and fowl sold in the public streets?—There is no regular place for them.

7771. Is it the want of a regular market which occasions the system of forestalling?—To a great extent it is.

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Portadown, January 5, 1853.

579. Mr. J. O. Woodhouse.

Mr. *John Obins Woodhouse* examined.

7772. Do you reside in Portadown?—I do; I am seneschal of the town, and chairman of the Town Commissioners.

7773. When were you appointed?—Upon the 1st of October, 1845, by the Duke of Manchester.

7774. Are you chairman of the Town Commissioners for this year?—I am; and have been for the last five years.

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7775. Are you aware under what patent the markets are held?—They are held by virtue of a charter dated the 13th of July, 1632, in the 7th year of the reign of Charles the First, which was what is called a renewal patent, granting to Prudence Obins and her son John, a market on the Saturday of every week, and two fairs annually; to be held upon the 1st of November, and one day following; and upon the Monday after Pentecost, and one day following.

7776. Is the Duke of Manchester now the representative of the original patentees, and the proprietor of the fairs and markets?—He is.

7777. Does the patent grant a right of toll?—It does, and a court of *pie poudre*.

7778. Are the markets now held upon the days mentioned in the patent?—Yes; for a long time I recollect the markets being held on Monday; but they are now back again to the day mentioned in the patent.

7779. Are the fairs held upon the days mentioned?—We have more fairs than those mentioned; we have a monthly fair upon the third Saturday of every month, and we have an Easter Monday fair; the November fair, granted in the old patent, has fallen into disuse.

7780. Are any of the new fairs held under patents?—Not that I know of; we claim them now by prescription, as they have been beyond the memory of man; there was some dispute about the holding of these fairs for the sale of cattle, for I conceive that is the difference between a common market and a fair; but whatever litigation there was, the fairs are still held.

7781. Have they been held for the last twenty years?—Long beyond that period.

7782. Are tolls paid at the markets here?—No; there are no tolls paid; I recollect tolls being levied here, and there was a great deal of litigation in this part of the country about tolls; and there was a great deal of rioting and disturbance, until, for the peace of the county, it was thought better to give up the tolls; we have still a demise of the tolls, and we might proceed under it, but we do not think it prudent to attempt to levy them.

7783. How many years have they been abandoned?—I suppose nearly thirty years; a very long time.

7784. Does the Duke of Manchester exercise any control over the market?—No; it is vested in the trustees.

7785. How did it pass from him to the trustees?—It was vested in them by a lease dated 31st March, 1845, from the Duke of Manchester, to John O. Woodhouse, Thomas Donovan, John Shillington, Thomas Shillington, and Henry John Porter; there are now four of them alive, Mr. John Shillington being dead.

7786. In the event of an appointment being made, who has the power to make it?—We have all the right which the Duke has.

7787. For what purpose was that lease granted?—It is declared in the lease that if there are any profits, they should be applied for public purposes; unfortunately, shortly after the lease was granted, the failure of the potato crop took place, and the market was quite unprofitable for the first two or three years; however, I am glad to say that things are changing now, and for the last year there has been a very fair return.

7788. What is the rent received?—Ten pounds.

7789. Is it paid?—Certainly.

7790. From what do the profits arise?—They arise from two cranes; there was something paid formerly for standings in the streets, but it is not paid now.

7791. Are the rights vested for ever in the trustees?—No; only during the Duke's lifetime.

7792. Is there an enclosed market-place?—None, except the meat market.

7793. Where is corn sold?—In the open streets.

7794. What are the principal articles of agricultural produce sold in the town?—Corn of all descriptions, pork, butter, flax, potatoes, green crops, live pigs, fowl, and eggs.

4795. Does the sale of all agricultural produce take place in the public streets?—Yes.

7796. Where is it weighed?—The merchants themselves weigh the greater part of the corn, but if the seller pleases, he may go to the public crane and get it weighed; it is optional.

7797. How many public cranes have you?—Two; there is the lower public crane, where grain is weighed, and the upper public crane, for pork.

7798. Is there a crane in the meat market?—Yes, there is.

7799. Is there a butter and flax crane?—Latterly, butter has been sold in the meat market, and some of the sheds are used by people who buy butter there, and who weigh it themselves.

7800. Is that place the property of the trustees?—No; the pork and the grain cranes belong to the trustees, under their lease, but the meat market belongs to a Market Company, a Company formed for building the shambles.

7801. Under the Town Commissioners?—No; they are a separate body, composed of shareholders.

7802. What is the constitution of the body?—In September, 1829, a Company was formed for the erection of shambles, and the money was raised by shares. The Company were authorized to extend their operations if they thought proper to speculate by the deed, as far as they legally could. They hold the meat market, and it is their property.

7803. Have you a weighmaster for your cranes?—We have.

7804. Is there one weighmaster appointed for the entire town, under the 4th of Anne?—No.

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7805. Merely a man employed at each crane?—We call a man named John Conn the head weighmaster.

7806. Was he appointed by the trustees?—He was, and by the Market Company too.

7807. Does he keep a deputy at each crane?—He does.

7808 Does he account to the trustees and the company for his receipts?—He does.

7809. And receives a fixed salary?—He receives a certain allowance, and the receipts of the meat market are returned to the Company, and the other receipts to the trustees under the lease.

7810. Is he sworn?—No.

7811. Is flax sold in the public streets?—It is, and is brought made up in bundles to the mills, and never weighed at all, unless there is a desire to check the weight; but it is generally understood that the bundles are taken as stones, and unless some person raises an objection, the buyers will take it for granted.

7812. Have the buyers stores in the town?—Not particularly for flax that I am aware of. Most of the buyers come from a distance. They store the flax occasionally here.

7813. Where are potatoes sold?—In the public streets, and very frequently weighed by the parties themselves.

7814. Where is butter sold?—It has been sold latterly at some of the stalls in the shambles, and the buyers there weigh it themselves.

7815. Have you a fowl and egg market?—There is a large quantity of fowl and eggs sold here latterly, but they are sold in the public streets.

7816. Where are the fairs held?—The cattle fair is held near the church, and upon the roads and avenues leading to it.

7817. In the public street?—Yes.

7818. Is there no enclosed fair-green?—None.

7819. Do you not consider that a great inconvenience to the buyers and sellers?—I myself perhaps would rather see them in an enclosed place, but I know that there are a great many people in the town who would prefer having them in the streets.

7820. What would the buyers and sellers prefer?—I am inclined to think the merchants would prefer going on with the business just as it is at present.

7821. Do you think the public thoroughfare the proper place for holding fairs?— It is certainly inconvenient. I think an enclosed place would be better; but still, at the same time, there is always a great objection in this town to any thing connected with the removal of the markets.

7822. Could you give any idea of the quantities of grain, pork, flax, and every thing else sold in this town?—Yes; we have prepared a return taken from the united opinions of several gentlemen conversant with the markets.

PORTADOWN MARKET.—Return of Sales in Portadown Markets and Fairs, and Trade of the Town.

Article.	No. of Carts.	Quantity.	Value.	Observations.
		Tons.	£	
Wheat,	400	300	3,000	This is about the average sales in the weekly market in the winter months.
Oats,	300	200	1,200	
Barley and other grain,	70	50	300	
Potatoes,	150	100	250	
Turnips,	–	50	30	
Fruit,	–	10	60	
Butter,	100	5	400	
		Pigs.		
Pork,	–	600	1,800	
Live pigs,	–	200	100	
		Carcases.		
Butchers' meat,	–	50	250	
Flax,	60	–	1,000	
Fowl and eggs,	–	–	150	
Other articles,	40	–	300	
	1,120		8,840	
FAIRS.				
		Head.		
Black cattle,	–	500	2,500	This is about the average sales in the monthly fairs.
Sheep,	–	100	125	
Goods in the shops, meal and flour at the mills, timber, coals, iron, and other merchandize,	–	–	12,000	This is supposed to be the average amount of the ordinary weekly trade of the town all the year round.
			23,315	

7823. Is grain sold here by the barrel or by the hundred-weight?—It is sold by hundreds, quarters, and tons.

7824. Would you be in favour of having a general market, with proper accommodation, in which all agricultural produce should be sold and weighed?—Perhaps it would be better that it were so; but the feeling of many of the merchants here is decidedly against it.

7825. Why?—Because the market is enormously large, and there would be great difficulty in bringing all the grain and every thing else into an enclosed place, getting it weighed, and bringing it back again to the merchants' stores.

7826. But it is done in much larger markets?—That is true; I could instance, myself, the case of Strabane; and if it could be done without injury to this market——

7827. The alteration could be no injury to the market, for we are talking of an uniform system?—That would certainly take away a great deal of the objection. I freely admit, that it would be better to have it under proper regulations, and in a proper place, than in the scattered way it now is. The objection the merchants make is that it would cause delay.

7828. There would be no delay, for where it is established in very large markets, all the grain is weighed in a very short space of time?—That would remove the chief objection.

7829. Would you be in favour of beginning and closing at a certain hour?—Certainly; I have attempted it several times here.

7830. Would you be in favour of an assimilation of weights and measures all over the country?—Certainly; there is nothing more mischievous and embarrassing to trade than different systems of weights and measures. I would also be very glad to see the system of allowances done away with.

7831. We will come to that. In such a market, do you think the fairest system would be to weigh all agricultural produce standing beam, to the pound, and abolish all deductions but the actual weight of the empty sack or firkin, and pay the farmer for what he has?—I am clearly of opinion that it would be very beneficial to the public. With regard to the pork trade, I find that pork is weighed at one hundred and twenty pounds to the hundred-weight, and eleven pounds are taken off each pig. I find also that the buyer charges 2*d.* for weighing, and 2*d.* for carrying, and 2*d.* for the house; I think all these are unfair charges, and that the farmers should not be subjected to any thing of the kind. Buying by the hundred and twenty pounds appears to me to be a humbug. If, as is stated, the sellers may get more in the price, still it is only trifling with and impeding business.

7832. Does it not, at least, keep up a fictitious price?—It does; and I am bound to observe that the unfortunate farmers have quite the worst of it, for all the reductions and stoppages cut in favour of the buyer. I think the buyer ought to be prohibited from making any charge for weighing and for the house, which is charging people for their own offices.

7833. Do you not think the system of weighing in private is wrong, as it offers facilities for fraud, if parties choose to be dishonest?—I admit there may be cases of fraud, but still I am entitled to say, on behalf of the merchants of Portadown, that there has been no complaints against them; and if there were only Portadown to be regulated, I think that part might be passed over.

7834. But, as a principle, would not public scales, under sworn weighmasters, be the fairest test?—Certainly; I must of course consider that the regulation is to be uniform, and that we are now speaking for other places besides this; and, therefore, I think there ought to be sworn weighmasters.

7835. Would it not be a great advantage that, in a regular market, you could obtain proper statistics, which at present can only be obtained by guess-work?—It would be very desirable; even the best returns at present collected by the police, I consider to be mere guess-work. There was a particular fancy among the people at first to deny what agricultural stock they had, for they thought there was to be some tax, or something of the kind.

7836. Are there many cases of fraudulent weights here?—Sometimes there are.

7837. Who performs the duties of inspector of weights and measures?—Mr. Greer, of Lurgan, was appointed by the Grand Jury, and the head-constable of police, under the Act, is authorized.

7838. Does he perform the duties?—He has not commenced to act.

7839. What is the system of weighing corn here?—It is weighed by the hundred, with a cast of the beam.

7840. Is it weighed to the pound?—No; to the two pounds.

7841. What is deducted?—Two pounds to the draught.

7842. Suppose there were two pounds standing beam, would it be passed?—No.

7843. Then he may lose, if the sacks are not trimmed, nearly four pounds?—He may; he may lose three and a half pounds at all events.

7844. Is the empty sack tared?—It is.

7845. When the ticket is made up, are odd pounds paid for?—They are paid for down to seven pounds, and odd pounds under that will be paid for at the next lowest even price.

7846. Is there any charge for weighing or porterage?—Not at all.

7847. Are the sacks weighed to the pound?—They are.

7848. Have you ever heard of any frauds practised in the weighing of corn at the stores?—I have heard talk about them, but nothing very specific, and I never heard a well-grounded complaint established against any of the merchants here. I may mention to you a circumstance bearing upon this subject. I understand from even more than half way between this town and Belfast, people come here with grain, in consequence of the confidence they have in the merchants here; and the facilities they get for selling, being subject to no charge for weighing. There is another thing I wish to mention: the merchants in

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selling allow ten pounds a ton, which is giving away a great deal of what they get in another form.

7849. Would it not be a fairer system to weigh to the pound, standing beam, and abolish these deductions?—Decidedly; I think there ought to be no allowances given to anybody. It is quite a delusion, just as men will give £10 for a horse, provided they get back £5 luck-penny.

7850. What would you recommend as the best uniform system of weighing?—I am decidedly of opinion that our mode is the right way—selling by the hundred-weight. In parts of Ireland where they sell by the stone, when they enter them in the book they have to turn them into hundreds-weight. As for the barrels, there can be no pretence at all for adopting that system, for they do not appear to be a defined quantity at all; there is one thing in one place and quite a different thing in another.

7851. How is pork sold?—By the long hundred-weight of 120 pounds, and it is weighed by the 112 pounds, and it is weighed to the pound down weight.

7852. How many pounds will bring the scale from standing beam to down weight with a heavy draught?—One pound would do it.

7853. What are the deductions?—Eleven pounds, and on a wet day twelve pounds.

7854. Then the farmer may lose twelve pounds, and if the day be wet thirteen pounds?—He may.

7855. What charges are made?—The seller is charged for each pig 2*d.* for weighing, 2*d.* for carrying, and 2*d.* for the house in which he is paid.

7856. In bringing it from short hundreds-weight into long, is there not a way by which, by deducting the odd pounds from twenty-eight pounds instead of thirty pounds, the seller may lose another two pounds?—That is sometimes done here.

7857. What is the average weight of a pig?—About one hundred-weight three quarters.

7858. Then the farmer may lose nearly five pounds upon each pig?—I suppose if we had a pork merchant here he would tell us that he pays so much more for it.

7859. Do they ever cut pigs for being measly here?—We have frequently disputes upon that point, and the sellers frequently come to me hoping that they may get some redress, for what I conceive is a great injury to them. A buyer comes and buys the pig, and takes his knife and scores it, and the moment it is marked it is rendered unsaleable, and no other buyer will look at it, so that the buyer can then give just what he pleases, or the man will have to take his pig away. I have seen the most enormous reductions proposed in such cases.

7860. Are the pigs supposed to have any thing the matter with them?—The buyer will allege that the pork is measly, but it is just as easy for him to say that as any thing else.

7861. Would it not be the fairest system to let him examine the pig first, and when once he has bought it bind him to his bargain?—Exactly.

7862. Have you a class of persons here who buy pigs without any means of paying, take their chance of reselling them, and if they cannot do so, throw them up at the end of the day?—I cannot say I ever heard of that, but the other complaint is made very often.

7863. Have you any power of redress?—No real power which could be properly exercised.

7864. How is flax sold here?—It is made up in bundles of sixteen pounds, and four ounces added.

7865. Will that be considered weight, standing beam?—No, the scale must turn.

7866. That would be two ounces more?—I suppose it would; if flax is sold by the hundred-weight, I understand two pounds are added. The buyers charge ½*d.* a stone for the house.

7867. What is that for?—It is pretended to be for the house in which it is weighed. There are a great many jobbers, with regard to flax, who come into the market, and it is a misfortune that we have no control over them, and after buying the flax they will quarrel with the sellers and refuse to take it in the evening. I sometimes attempt to interfere, but we are quite deficient in proper authority.

7868. Is there much firkin butter sold here?—No; it is principally sold in pounds.

7869. Do the buyers purchase about the streets?—They do; there is a covered place in which they could carry on business.

7870. Have you a butter inspector?—The buyers weigh and qualify for themselves.

7871. What is the system of weighing?—They weigh to the half pound, or the quarter; every buyer has his own scales.

7872. Do they require down weight?—They do; there are a good many complaints about too much weight being taken.

7873. In weighing the crock, is the crock tared?—The butter is taken out of the crock and weighed.

7874. Is there any beamage taken from it?—I think not.

7875. How are potatoes sold?—By the 112 pounds.

7876. Are they weighed to the pound?—Generally; the actual weight of the empty sack deducted.

7877. Have you a weigh-bridge?—Not belonging to the public; there is one belonging to Mr. Shillington, I wish to mention some matters. We have, in various shapes, and with great colour of law, attempted to enforce regulations here; but I find the actual enforcement is very deficient. You will have observed that the charter here gives us the power of holding a court to settle all disputes; but it is so long since a court sat, I am afraid I could scarcely venture upon holding a court of the kind again. Of course I am very

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579. Mr. J. O. Woodhouse.

anxious to give every assistance to people who believe themselves aggrieved, but there is great difficulty in carrying any regulation out. I am told I might have arrested parties and committed them to gaol, but I do not know where the gaol is to put them in. In some instances I have seized goods, but the thing has now got so obsolete, and so encumbered with legal difficulties, that very few seneschals would go the length of embarrassing themselves by proceedings of the kind. The only remedy is by civil bill process, or by coming before a magistrate. Now, the magistrates meet here on Saturdays, and they are entirely occupied with assaults, and the ordinary business of the country, so that they have no time to occupy with disputes between buyer and seller. If a man comes to me and says that a buyer has scored his pig and rendered it unsaleable, and refuses to give the price for it, the man is really without any remedy. What can I do, only tell the man that he is behaving very badly, and that he ought to pay, and sometimes they will take my advice and settle the matter, but other times they will not, and there is great difficulty in compelling them. Even if the magistrates had the power—and they really have no authority except as arbitrators—the Petty Sessions are only held once a fortnight, which would not do for settling disputes which ought to be settled on the spot. I say, a summary jurisdiction should be lodged in some person on the spot, who has an interest in the town, and who is really the only person who could execute such a power.

7878. What would you suggest?—About three years ago we had some agitation in Ireland, about getting Towns' Improvement Bills, and the Government promised to adopt the principle of a Scotch Act, passed before, which allowed the inhabitants of a town to elect two magistrates, every year, for the town; and I think if that regulation were adopted, a power of the kind might be given to them. Objection may be made to the people appointing their own magistrates, but it could be controlled; the Government could have a *veto*, or the people might be allowed to elect them, subject to the approbation of the Lord Lieutenant.

7879. Or the Lord Chancellor?—Yes, or the Lord Chancellor. It is utterly impossible to carry out the Acts unless some parties in the town are authorized to put them in force.

7880. Would not one person be sufficient—for instance, the Chairman of the Town Commissioners?—The reason I spoke of two was, that two are mentioned in the Scotch Act, and the Government might consider that the public ought to have the security of two.

7881. What is the population of Portadown?—It is much on the increase; in 1851 it was 3,092.

7882. Was there never a Corporation here?—Never.

7883. Is the trade of the town increasing?—It has been rapidly on the increase; no town can boast more of the appearance of prosperity than this, at present, so far as the number of houses being built, and the few which are to let may be taken into account.

580. John Conn.

John Conn examined.

7884. Do you reside in Portadown?—At the end of it.

7885. What is your occupation?—I am weighmaster for pork.

7886. Do you superintend all the scales?—I do; but the principal part of my time at this season of the year is occupied with the pork crane.

7887. Do you weigh the pork yourself?—There is a man who weighs under me, and I stand by and assist.

7888. Who appointed you?—The market trustees and the Market Company.

7889. When were you appointed?—About two years ago.

7890. Were you ever sworn?—Never.

7891. Do you account for your receipts?—I do; I return the receipts.

7892. How many pairs of scales have you?—Three.

7893. Do you get much grain to weigh?—Not much.

7894. Could you say, in round numbers, what you weigh in the course of the year?—Not a twentieth part of what is sold in the town.

7895. What are your charges?—Two pence a draught for corn, independent of the weight.

7896. What for pork?—The same—2*d.* a draught; only one carcass at the time; if there were small pigs we would not object to weigh two or three of them at once, and only charge 2*d.*; but it is never applied for.

7897. What do you charge for potatoes?—Just the same—2*d.* a draught. Very few sacks of potatoes are weighed here.

7898. What do you charge for fruit?—The same—two pence a draught for every thing.

7899. Would you charge 2*d.* for a hundred-weight of corn?—In spring, when there are small draughts, we weigh for 1*d.*; but 2*d.* is the general charge.

7900. How do you weigh corn?—With a one pound weight, down weight, and when there is a large draught we take off two pounds.

7901. You weigh the same as the merchants, only that you use a one pound weight, and they use two pounds?—Just so.

7902. What do you deduct for the empty sack?—Just the weight of it.

7903. What is your system of weighing pork?—Down weight; we weigh by the short hundred-weight of 112 pounds, and deduct eleven pounds.

7904. Does that eleven pounds always lie in the scale?—Yes, it is fastened there.

7905. Do you deduct more upon a wet day?—No; but the buyers generally take another pound off.

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580. John Conn.

7906. Do you weigh to the pound?—We do.

7907. Do you give the ticket in short hundreds-weight?—Yes.

7908. How is it brought into long hundreds-weight then?—By taking eight pounds off every hundred-weight.

7909. Suppose the pig weighed two hundreds-weight two quarters twelve pounds, what would it be in long hundreds-weight?—Two hundreds-weight one quarter twenty pounds.

7910. Do you make up the ticket for the farmers?—No; they do it themselves.

7911. Did you ever hear any dispute about cutting pigs for measles?—Yes, several times; when a pig is found to be measly it breaks off the bargain, and then the buyer and seller have to come to an understanding what the price is to be.

7912. Have you ever heard of attempts made to cut pigs for measles, which really had no measles?—Yes; the buyers have men appointed to try whether the pigs are measly, and sometimes they say it is measly, but when I find it is not, I always interfere; and when the trier and the buyer can make nothing of me they give up the charge.

7913. Suppose a man has marked a pig, and then will not take it, will the owner find it as easy to sell the pig after it has been marked?—I think not; he can hardly sell it in the market the same day.

7914. How do you weigh meat?—To the pound, with a cast of the beam, and one pound off the quarter.

7915. What do you charge?—We charge 6*d.* a stall for accommodation in the market-place.

7916. Do you you always give the buyer a ticket?—Yes.

7917. Do you give a ticket to the seller?—Sometimes; when it is required; we endeavour to satisfy every one.

7918. In the event of a dispute, could you tell the weight on the next day?—Yes, or a year after.

581. Mr. T. A. Shillington.

Mr. *Thomas A. Shillington* examined.

7919. Where do you reside?—At Portadown.

7920. Are you in the corn trade?—Yes, and the timber and iron trade.

7921. Do you buy all kinds of grain?—Yes.

7922. Do you buy the corn in the streets?—Yes, and at my own stores.

7923. Is your system of weighing the same as that described by Mr. Woodhouse?—Yes; two pounds beamage are deducted upon the draught; but we sometimes put in three sacks, sometimes two, and sometimes only one.

7924. Would you be in favour of a general market?—I would, but for the expense it would entail.

7925. But if all the corn coming into the town were sold and weighed at the public market, a very small charge in the barrel would be sufficient?—It might pay for weighing, but all the additional porterage would make a very sensible difference. Since all the corn was obliged to be brought into Belfast many sellers give us the preference here; besides, we would have to undergo all the same trouble; for after the corn had been weighed at the public market we should reweigh it.

7926. But what surety is there at present that the farmers will be fairly dealt with?—Let there be a public crane for that purpose, where persons may go when they think it necessary.

7927. If you leave it optional to go to a public crane, it will never be made use of?—I have seen it made use of by farmers coming in to try whether their grain was fairly weighed. If you kept up a sufficient staff at the public scales, you should impose a very severe tax.

7928. That would depend entirely upon the quantity coming in; the larger the quantity, the less would be the charge; for one supervisor would suffice?—I would, myself, very much prefer it, if it were not to entail such expense upon the farmer; for I cannot conceive how it could be effected without creating an impost upon the trade and market of the town which it would be better without.

7929. Have you ever heard of some buyers being able to give higher prices than others, and make it up in weighing?—I have heard of solitary instances; but they are soon detected by the farmers. The buyers would do themselves by that conduct. Honesty, in that respect, is the best policy.

7930. Would you be in favour of an assimilation of weights and measures all over the country?—Decidedly; buy everywhere by the stone or the hundred-weight; I think it is perfectly indifferent which.

7931. Would you be in favour of abolishing all deductions in the shape of beamage?—certainly.

7932. How would you carry out these regulations without having a public market?—If you rendered them obligatory, and put it in the power of every seller to enforce them, every respectable person would conform to them; and others, then, should do the same. In order to effect it, all bargains should be rendered null and void not according to these regulations, and it should be penal to carry them out otherwise.

7933. Would it not be very desirable that all the buyers and sellers should meet at a public market at a certain hour?—It would, if it could be carried out without expense to trade; besides there are a number of establishments around, not in the market at all, where the farmers might go and sell without coming to us at all. There might be a public scales as a protection to farmers, but I certainly would leave it optional to go there.

7934. Then how would you support it?—It ought to be self-supporting; it would be a great hardship to force buyers to use the scales.

581.
Mr. T. A. Shillington.

7935. Where that system has been tried, the scales are never made use of at all?—I think it would be used. I wish to suggest the necessity of having an inspector appointed to protect the buyers against fraud as well as the sellers. In the grain trade, it is often very difficult to protect the buyers from fraud; and I think some person should have a summary authority to act in cases of that kind.

Mr. *William Langtree* examined.

582.
Mr. Wm. Langtree.

7936. Do you reside in Portadown?—I do.

7937. Would you be in favour of a general market?—I would; but I think it would be an additional expense for labour.

7938. If there were a general market established, would it not be better to have it every day in the week?—I would have no objection; but many of the merchants here have other business to do upon other days in the week.

7939. Would you be in favour of weighing standing beam to the pound, and abolishing all deductions?—Certainly.

7940. And an assimilation of weights and measures?—Decidedly.

7941. Would you think weighing by the hundred-weight the best uniform system?—I would approve of the plan which is adopted here; but, perhaps, it is because I am most used to it.

7942. Would it not be a good plan that the market should begin and close at a certain hour?—I think it would. It would, certainly, put all parties upon an equality, and create competition.

Mr. *Bernard John Riddall* examined.

583.
Mr. B. J. Riddall.

7943. Do you reside in Portadown?—I do.

7944. Do you farm?—Yes; I have seventy-two acres of land.

7945. Do you generally concur with the opinions of the previous witnesses?—I do.

7946. Would you be in favour of a general market?—I would.

7947. Would you, as a farmer, object to pay a small charge, barely sufficient to support such a market?—Certainly not.

7948. Would you be in favour of an assimilation of weights and measures all over the country?—Decidedly.

7949. Weighing standing beam to the pound, and abolishing all such deductions as beamage?—Exactly.

7950. Deducting nothing but the actual tare of the bag or firkin?—Just so.

7951. Would you approve of having the market begin and close at a certain hour?—I would.

7952. Would it not be a great advantage, that in such a general market you could obtain the proper statistics of the country?—It would.

7953. Do you think that the farmers, generally speaking, if they got accommodation, would object to pay a small charge?—I think they would not; and I think it would be very satisfactory to the small farmers in particular. I have seen many small farmers about to be defrauded when I challenged the thing. I always thought it a great grievance to have these deductions upon flax and pork.

7954. It is said the buyers pay extra for all these deductions; do they do so, in your opinion?—They say they do so, but I do not believe it.

Mr. *John Watson*, examined.

584.
Mr. John Watson.

7955. Do you reside in Portadown?—I do.

7956. What is your occupation?—I am a farmer and shopkeeper; I buy and sell in this market. I wish to say that, in Portadown, there are two baronies and two parishes which have not been mentioned here, and two distinct manors.

7957. Would you be in favour of a general market?—I would; I think the public highway is not the proper place.

7958. Do you think holding the fairs in the public streets is objectionable?—It is; I have seen coaches and mails stopped here, on account of the thoroughfare being blocked up by the fairs.

7959. Do you think the sellers and buyers would prefer a properly enclosed fair-green?—I have been talking to a great many dealers in cattle, and I think they would prefer it.

7960. In the event of a properly enclosed fair-green being provided, would parties object to paying a very small charge for the purpose of supporting it?—I have been talking to a great many who stated that they would have no objection.

7961. Would it not be the fairest system to make a small charge upon every thing going in?—It would be a safe plan, and better for the farmers.

7962. Could a proper place be got for a fair near this town?—You could; and, I think, a very small charge would be sufficient. I think 1*d.* a head would be enough.

7963. Would the townspeople generally object to the fairs being removed?—Some of them would, and some would not.

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585.
Colonel Blacker.

Colonel Blacker examined.

7964. Would you be in favour of a general market?—I think a general market would be a good thing if it could be brought round without injuring the farmers.

7965. Would you be in favour of an assimilation of weights and measures all over the country?—Certainly; no doubt of it; and abolishing all deductions.

7966. Would you be in favour of having properly enclosed fair-greens?—In some respects the streets are a bad place for holding fairs. If there were nothing more than preventing cattle from running wild about the streets it would be a great advantage, provided the place was suitable, and given at a small charge.

586.
Mr. M. Annesley.

Mr. *Michael Annesley* examined.

7967. Where do you reside?—About two miles out of the town.

7968. Are you a farmer?—I am; I farm about 105 acres.

7969. Would you be in favour of a general market, under proper superintendence, and with every accommodation?—I would, except for grain. I think grain is very well as it is.

7970. Do you weigh at home?—Sometimes, but not generally.

7971. As a principle, at all events, you think the general market would be more satisfactory?—I think it would.

7972. Would you approve of an uniform system of weighing?—I would.

7973. And abolishing all deductions?—Decidedly.

7974. With regard to fairs, would you be in favour of having them held in properly enclosed fair-greens?—They are a very great nuisance in the streets, and they would be much better in an enclosed fair-green.

7975. Would you object to pay a small charge for standings in such a fair-green?—I would rather pay it than have my cattle in the streets.

587.
Mr. J. G. Wolsey.

Mr. *Joseph George Wolsey* examined.

7976. Where do you reside?—A mile from this town.

7977. Do you farm?—I farm, and I buy grain. I beg to say that the cranes which have been confided to trustees by the Duke of Manchester, and which have been in occupation under deed for seven years, produced last year a net revenue of £55 5*s*. 9*d*., and I have not the slightest knowledge that a shilling of that money was ever applied for public purposes.

7978. Does that include the £10 rent?—I think it does.

7979. But the weighmaster's salary is not included?—It is not.

7980. Would you be in favour of a general market?—Yes; I agree with the evidence generally; but we have grain coming in here in very large quantities, but then it is confined to one market day. With regard to the Market Company, it is another feature in the affairs of the market here. So negligent were the patentees of the market, that a joint stock company sprang up and found it an advantage to open a market, and accordingly the Company was originated in the year 1829. In 1830, the Commissioners, some of whom, I will venture to say, are shareholders, passed a resolution converting the meat market in the street into a nuisance, and compelling parties to occupy the new market and pay a revenue.

ARMAGH.
6th January, 1853.

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William Paton, esq., examined.

583.
William Paton, esq.

7981. Do you reside here?—I do.

7982. Are you a magistrate?—I am.

7983. And one of the Tolls' Committee?—Yes.

7984. Who is the proprietor of the market?—The proprietor of the tolls and customs of the markets and fairs is the Primate of Armagh.

7985. Does he hold under patent?—He holds the tolls in the same title as the see; they are part of the see property.

7986. Does he exercise any control over the markets, or levy the tolls himself?—No; he leases them.

7987. How long is it since he leased them?—At the time he became Primate here.

7988. To whom did he lease them in the first instance?—I am not aware, for I have been only here sixteen years, and he is Primate thirty.

7989. Did the Tolls' Committee get a lease?—Yes; they got a fresh lease. There was a considerable disturbance about tolls, and it was wanted to settle the markets, and the inhabitants joined together, and took a certain number of shares.

589.
Mr. Thos. Dobbin.

Mr. *Thomas Dobbin* examined.

7990. Do you reside in Armagh?—I do. I am treasurer to the Tolls' Committee.

7991. When was that body formed?—The inhabitants of the town formed a committee, and purchased the interest in the tolls from Mr. Beattie, the former Primate's steward, to whom the tolls had been granted; and they obtained a fresh lease from the Primate, who was

ARMAGH, 6th January, 1853.

589. Mr. Thos. Dobbin.

kind enough to say that he would make us a present of the fine, in order that the money might be laid out for the improvement of the market after paying the interest upon the money raised by expense and the debentures.

7992. In what year was that done?—I think about 1821. It was before the time of the present Primate. It was in Primate Stewart's time. The present Primate confirmed it. We waited upon him immediately after his coming here, and told him all the circumstances, and he was kind enough to confirm the lease.

7993. What is the rent reserved in the present lease? —Twenty-five pounds, late currency.

7994. What is the renewal fine?—One-eighth of the gross produce is the usual fine charged upon all leases of the kind.

7995. The present Primate has never exacted the fine?—Never. There was a public meeting at which we selected the trustees, consisting of eight.

7996. What officers have you?—A treasurer and secretary.

7997. You never were called upon to pay a rent or renewal fine?—No.

7998. How are your receipts appropriated?—In paying the interest and improving the market-place, keeping up the market-house and the scales and weights.

7999. Do you ever publish your accounts?—We do not publish them, because it is not a general understanding.

8000. The accounts are audited, of course?—Once a year, regularly.

8001. What interest do you pay upon the £1,700 you borrowed?—Five per cent. It used to be six, but it has been reduced.

8002 Were you ever formed under the Act of Parliament?—Never.

8003. By whom are the market officers appointed?—By the Committee, and we let the tolls once a year to the highest bidder by auction. We do not engage, however, to give them to the highest bidder.

8004. Have you the right to levy tolls under the lease?—Yes.

8005. What are the market-days?—Tuesday, a general market; Saturday, a grain and meat market, and Wednesday.

8006. What articles are sold on Tuesday?—Flax, yarn, linen, pork, butter, and articles of different kinds.

8007. Are these the days mentioned in the patent?—Only Tuesday and Saturday.

8008. When was Wednesday established as a market-day?—Since ever I remember.

8009. Was there a patent obtained for holding a market on that day?—There was not.

8010. On what days do you levy tolls?—Tuesday and Saturday.

8011. Are tolls levied on Wednesday?—No.

8012. Do sales take place on Monday, Thursday, and Friday?—Some separate sales do take place?—Grain is generally sold upon the market-day; but people do not hesitate to buy it upon other days. I think sales generally are confined to the market-days.

8013. Who are the present lessees of the tolls?—Charles Keays and William Browne.

8014. What do they give a year for the tolls?—One gives £250, and the other £100.

8015. Have you schedules of tolls exhibited in the market?—We have. Some of the tolls have been struck off which were formerly levied.

8016. Have you printed boards?—Yes.

8017. Are the collector's names mentioned?—They are.

8018. Do the schedules show the tolls at present collected, or are they old schedules?—They are old schedules.

8019. Do your accounts show your receipts and disbursements?—They do.

8020. Do they show for what purpose the disbursements have been made?—They do not show for what purpose they were made. I keep the accounts according to the orders I receive, which do not state the purpose of the disbursements.

Mr. *Samuel Gardiner* examined.

590. Mr. Saml. Gardiner.

8021. Do you reside in Lurgan?—I do.

8022. Are you secretary to the Tolls' Committee?—I am.

8023. Can you state the tolls and customs collected at present?—For every sack of oats 3*d.*, including weighing, a sack of meal, 3*d.*, flour not weighed, 2*d.* The lessees of the tolls can state them more fully than I can.

8024. Are the tolls paid by the buyer or the seller?—By the seller.

8025. Are they charged upon fair and market days?—We have no fairs. We have a patent for them, but there are no fairs held.

8026. Are there enclosed market-places?—There are. We have a wheat and barley market enclosed, and a pork market enclosed.

8027. Is there a market-house?—There is, and sheds for weighing, with two pairs of beams and scales, and a weigh-bridge. There is a market-house and a space enclosed in Market-street, for the sale of meal, oats, potatoes, turnips, and vegetables of every kind, and also crockery and other articles.

8028. Any other market?—There is the Linen Hall. Butter, eggs, poultry, and linen are sold there.

8029. Is there a market-house?—No.

8030. Is lump butter and firkin butter sold?—Yes.

8031. What weighing accommodation is there?—There are beam and scales in all the butter sheds, and there is a large beam and scales for weighing firkins.

8032. Then in all there are three markets, the property of the Committee?—Yes.

8033. Where is the flax market held?—In the streets.

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590. Mr. Saml. Gardiner.

8034. Have you a shambles also?—Yes; there is a live pig market in front of the gaol.

8035. Is it enclosed?—No, held in the open street.

8036. Were the shambles erected by the Committee?—Yes; there were old shambles there which were taken down, and new shambles erected by the Committee.

8037. What was done with the old shambles?—Nothing as yet; the intention is, to turn them to some useful public purpose. There is a turf market, also, held in the streets. We have made arrangements for taking a piece of ground, which will give increased accommodation for flax.

8038. Do you intend to enclose it?—Whatever is necessary to give accommodation.

8039. Are all the enclosed markets the property of the Tolls' Committee?—They are, except the Linen Hall, which is the public property.

8040. Could you be turned out of it to-morrow?—Oh, no; I think not. It was, originally, got from Primate Stewart, by the exertions of Mr. Dobbin, to accommodate the linen-market.

8041. Is it mentioned in your lease from the Primate?—It is not.

8042. Do the present Tolls' Committee assume the management and control of it?—They do.

8043. You do not consider it private property?—Certainly not; it belongs to the public.

8044. Is there any of Mr. Dobbin's property still in it?—I believe there is a strip of ground there belonging to him exclusively; and, I believe, he could erect a wall, if he liked, cutting off ten feet of the open space.

8045. Did the primate only give you the tolls and customs, and no grant of the market places?—Only the tolls and customs.

8046. Has a weighmaster been appointed by the Committee for the whole town?—The parties who rent the tolls provide weighmasters themselves, and we see that the weights are correct.

8047. Do they make any charge for weighing in addition to the tolls?—Not in addition. The whole charges are specified in the tolls.

8048. If a person comes into the market and does not weigh, will he be charged the full tolls?—He will not.

8049. Are the weighers sworn?—I should suppose not.

8050. Is there any charge for wheat?—Not as toll, but for weighing. A great portion of the wheat is purchased and weighed at the private stores. It is only weighed at the public scales by persons living at a distance.

8051. Is all agricultural produce sold at the public markets on a market-day?—I think, chiefly.

8052. Is it all weighed at the market scales?—No; a great part is weighed at the private stores.

8053. Why is there no toll charged on wheat?—At the time the charter was given there was no market for wheat or barley.

8054. On the market-day are parties obliged to weigh oats at the public scales?—No.

8055. Have you a written agreement with the parties to whom you lease the tolls?—There is; but not being prepared for the questions you would ask, I have not got it.

8056. What do you lease to them?—The toll of the markets, and the cranage fees.

8057. The only receipts the Committee have are the rent of the shambles, and the rent paid by the toll-collectors?—Yes.

Mr. *Charles Keays* examined.

591. Mr. Charles Keays.

8058. Do you reside in Armagh?—I do.

8059. Do you rent the tolls and customs of the markets?—I do.

8060. Have you any thing to do with the other lessee?—Nothing.

8061. What do you rent?—The market-house, for the sale of meal, oats, oatmeal, flour, butter, and the street customs upon different articles.

8062. What are your tolls?—A sack of meal, including weighing, 3*d*. Some thirty years ago meal paid 4*d*., but the toll has been reduced. A sack of oats, 3*d*., including weighing, for which there was 4*d*. formerly, and 1*d*. for weighing.

8063. If a person sells oats in the market now, and does not weigh, what will he have to pay?—Two pence on a market-day, and 3*d*. any other day.

8064. What other tolls?—A car of potatoes, 1*d*. for a standing; a bag of flour, 2*d*.; but there has been no flour in the market these some years.

8065. Is there any charge for weighing potatoes?—No; they bring potatoes in large carts, and weigh with their own weights.

8066. What is the next charge?—A crock of butter, 2*d*.; 1*d*. custom, and 1*d*. weighing. The person who empties the butter gets 1*d*., but 2*d*. is what I receive.

8067. Do you receive it in the first instance?—I do; it is more convenient to hand it to me. A standing for a shoemaker or hatter, 1*d*.; a car of young pigs, 2*d*.

8068. Is that in the open street?—Yes; but they are covered standings. Stocking standings, 2*d*.; a car of fruit, 1*d*.; a load of salt, 1*d*.; a cart with young trees, 2*d*.

8069. Have you a regular agreement with the Tolls' Committee?—Yes.

8070. Is it in the shape of a lease?—Yes.

8071. Does it specify the tolls you are to receive?—It does not.

8072. What does it state?—The amount I am to pay.

8073. Does it leave it optional with you to charge what you like?—There is a printed board in the market by which I must go.

8074. Does the agreement specify the articles upon which you are to levy tolls?—It does not.

8075. Was it a written agreement at all?—There was a proposal sent in by me, which was accepted, and I passed security to the Committee.

8076. Do you charge upon any thing not marked on the board?—Nothing else comes into the market.

8077. But if there did, would you charge?—I suppose I would.

8078. What other charges are there?—Standings for glass, 2*d.*; but I never receive it. Carpenters' standings, 2*d.*

8079. What are the charges for butter?—For lump butter there is paid for weighing, ½*d.*, up to ten pounds; 1*d.*, up to twenty pounds; and over that, 2*d.*

8080. Are all the oats sold at your market?—I think, chiefly; but not weighed. My calculation is, that about one-third of the oats coming in is weighed.

8081. A stranger would not know by your list what he was to pay for oats if he did not weigh?—I suppose he would not.

8082. Would you allow persons to sell oats out of the market?—It is often done.

8083. Do you object to it?—I do.

8084. Did you ever take any proceedings?—Never.

8085. What staff do you provide?—I have six persons assisting me.

8086. Have you toll boards exhibited at the market?—I have.

8087. What is your system of weighing oats?—Down weight.

8088. What is the smallest weight you use?—One pound.

8089. What would it take to bring your scale, with a heavy draught, from standing beam to down weight?—One pound.

8090. Then a person would only lose one pound?—That is all; and I take good care to change my beams every six months, from one side to another, and to keep them oiled.

8091. Do you make any deductions for beamage?—Not an ounce.

8092. Are there deductions made between the buyer and seller?—I think not.

8093. What do you deduct for the empty sack?—The actual weight. The county inspector examines my beams and scales and weights twice a year.

8094. Are oats sold here by the barrel or by the stone?—By the stone of fourteen pounds.

8095. You enter oats in stones?—Yes.

8096. Do you keep a book in which you enter every draught?—I do.

8097. Do you enter tolls paid upon what you do not weigh?—No.

8098. How do you know the amount?—I must trust to the men I employ.

8099. Could you furnish statistics of the quantity weighed at the market?—I could not.

8100. What do you state in the ticket you give?—Just the weight.

8101. Do you enter the names of the buyer and seller?—Not unless I am asked.

8102. What is to prevent parties from changing their tickets?—Oh, they never do.

8103. Would it not be more regular to enter the names?—It might; but it is not generally asked for.

8104. Do you keep a copy of the ticket?—I do, in the book.

8105. In case a ticket was lost, could you furnish a duplicate the next day?—I could, a twelvemonth after.

8106. Do you ever enter the price?—I do, if parties ask me.

8107. What is your system of weighing meal?—By the hundred-weight, down weight, to the pound.

8108. What is the height of your scales from the ground, at standing beam?—I think eight inches.

8109. You weigh meal and flour the same way as oats?—Just the same.

8110. No deductions from either but the actual weight of the sack?—None.

8111. Suppose a person sold meal in the market, and did not weigh, should he pay the same charge?—He should; oats is the only article upon which I make any difference.

8112. What do you charge for a sack of potatoes?—I charge 1*d.*

8113. Suppose six or seven sacks came in, would you charge for each?—Yes; I am entitled to it.

8114. Do you rent all the standings in the street?—I do.

8115. Do you rent the live pig market?—I do.

8116. What do you charge there?—There has not been any thing charged for a number of years; the only charge is, for a cart of young pigs, 2*d.*

8117. Do you charge for a car of fowl?—No; there has been no charge made for some time.

8118. Do you receive the rent of the butter market?—Yes.

8119. Do you let the places where parties store their oats in the market-house?—No; if they weigh them, and want accommodation, I let them remain there until it is their convenience to take them away.

8120. Do the buyers weigh for themselves at the butter market?—No; I have five men to attend to it.

8121. What do you charge for stalls?—One shilling a-week for a single standing, and 1*s.* 6*d.* for a double one.

8122. What scales have you there?—Each of my men has two pairs of scales.

ARMAGH, 6th January, 1853.

591. Mr. Charles Keays.

8123. What do you charge for a crock or firkin of butter, including the weighing?—Up to ten pounds, ½*d.*, from that to twenty pounds, 1*d.*; and from twenty pounds upwards, 2*d.*

8124. No higher charge?—No.

8125. How many stalls are there?—Five double, and, I think, nine single.

8126. Are they all occupied every market-day?—They are not; some of them are unoccupied now.

8127. What is your system of weighing butter?—Down weight, to the pound. It is emptied out of the crock, and weighed upon a cloth, and one pound is allowed by agreement between the buyer and seller, to the draught for beamage.

8128. Then the seller may lose two pounds?—Yes; and there is one pound additional for the wet cloth.

8129. Do the cloths generally weigh a pound?—They do, and sometimes more.

8130. What deduction is made from the firkin of butter?—I think five pounds.

8131. How is it weighed?—Down weight, to the pound.

8132. What do you deduct for the firkin?—Generally whatever is marked upon it. sometimes strip it when the buyer is not satisfied.

8133. What is the five pounds deducted for?—For soakage.

8134. Have you a butter inspector here?—No.

8135. What is your system of weighing in the small scales?—To the quarter pound and we require down weight.

8136. What will it take to bring the scales from standing beam to down weight?—It would not take a quarter of a pound.

8137. If a farmer put his own crock of butter into the scales, would he have to pay 1*d.* for emptying the crock?—I never saw them do it; they never say any thing against paying it.

8138. Is the system of weighing at the private stores, generally, the same as yours?—I think it is.

8139. Are there no deductions for beamage?—I believe not.

8140. Have you ever heard any complaints regarding the system of weighing in the private stores?—I have sometimes heard that they take more weight than is given in the public scales. Latterly I have heard very little complaints.

8141. Have you ever, of your own knowledge, discovered any fraud upon farmers?—They have come back to me sometimes to get their grain weighed over again, and I found, sometimes, that it had not been correctly weighed; but I do not think there has been any case of the kind within twelve months.

8142. What was, generally, the difference between the weights?—Perhaps a stone in a stone and a-half, more or less, in a sack of thirty-four stone or so.

8143. Do the buyers here always qualify their own butter?—They do.

8144. What quantity of butter is sold here in the year?—I could not say. There is very little firkin butter sold; perhaps thirty hundred-weight a day in the season.

8145. What quantity of oats is sold?—There may be, in very rare cases, 400 tons; but probably fifty tons is the average.

8146. What do you pay to the Tolls' Committee?—£250 a-year.

8147. Do you pay all expenses?—I do.

8148. Do you pay taxes?—Oh, no.

8149. You find the staff and the stationery, and every thing of that sort?—Yes.

8150. Do the Committee keep the markets and the beams and scales in repair?—As a general rule they do; but sometimes, when there are trifling repairs, I do not trouble the Committee with them.

8151. What check have you upon the men you employ to collect the tolls outside?—Nothing but their moral character; I could not have any other; there is no possible way of having a check upon them.

592. Mary Browne.

Mary Browne examined.

8152. Does your husband lease any tolls from the Committee?—He does.

8153. What does he pay for them?—£100 a-year.

8154. What tolls does he get?—On dead pork, all that is sold at the shambles; beef, mutton, veal, and all meat; hides, calf-skins, and different other articles.

8155. Have you also the use of the cranes in the market?—Yes.

8156. Is it compulsory to go there?—Only for pork, beef, and mutton.

8157. On any day?—Yes; but particularly on Tuesdays and Saturdays.

8158. Do you make a charge upon pork for toll and for weighing?—Only for weighing, 4*d.* a carcass.

8159. On every day in the week?—Yes.

8160. Do you oblige parties to come in upon a market-day?—Yes; there is no other place where they can sell but with us.

8161. Have you an agreement with the Tolls' Committee?—No more than that we sent in a proposal, and they accepted it.

8162. Did it state what you were to levy?—No; but there has been a toll-board up there for years.

8163. What are your charges?—A carcass of beef, 4½*d.*; a cake of fat, 1*d.*; hides, 1½*d.* each; two kips and runners, 1½*d.*; calf-skins, ½*d.*; veal, 4*d.*; pigs and bacon, 4*d.*; a sheep, 2½*d.*; a lamb, 1½*d.*

ARMAGH, 6th January, 1858.

592. Mary Browne.

8164. Where do you weigh meat?—At the shambles; and pork in the crane.
8165. Do you ever weigh wheat, oats, or barley?—We do, if required.
8166. Where do you weigh them?—In the scales.
8167. Where do you weigh hay and straw?—On the weigh-bridge.
8168. What do you charge?—Two pence.
8169. What scales have you?—Four scales, and a weigh-bridge for hay and straw.
8170. What do you charge for corn?—Two pence a sack.
8171. Do you give a ticket for corn?—Yes; and weigh the empty sack, and mark the weight on the foot of the ticket, and take off the tare.
8172. Do you give a ticket for hay and straw?—Yes; and give the weight of the empty cart.
8173. What staff have you?—One man for the beef and pork; and I take down the weights myself, and give a list to every buyer who comes to the market, and keep a check upon it, so that if a countryman came back in the evening for a copy, I could give it to him; and I could give the weight of every thing at the end of the year, as well as the day it was weighed.
8174. How do you weigh wheat or barley?—To the pound, down weight.
8175. What would bring the scale from standing beam to down weight?—One pound.
8176. What deduction?—Nothing at all.
8177. Do you weigh the sack, and deduct the tare?—Yes.
8178. Do you weigh barley the same way?—Yes; just the same way.
8179. Are odd pounds paid for?—They are.
8180. Have you ever heard of frauds practised in private weighing?—Never.
8181. Did anybody ever come back to check their weight with you?—They did; but I often found that the weights were right.
8182. What is the system of weighing pork here?—By the short hundred-weight; and it is bought by the 120 pounds.
8183. Do you weigh to the pound?—Yes; down weight, and if it is light weight, and will not strike, one pound must be given to make up the weight.
8184. What deductions?—Eleven pounds on every pig which is hung on the scale.
8185. If the pig weighed two hundred-weight and eleven pounds, what would you call it?—Two hundred-weight.
8186. You give it in short hundreds-weight?—Yes, and let the buyer make it into long hundreds-weight.
8187. Do they deduct from the twenty-eight pounds in bringing it into long hundred-weight?—No; from the thirty pounds, I think.
8188. What ticket do you give?—I keep a list, and I put every name in it.
8189. But suppose a single pig is bought?—Then I always give a ticket.
8190. Do you make any additional deduction upon a wet day?—No; although different people came to me and said I should do so, but I would not; I leave it between the buyers and sellers themselves.
8191. Do the buyers pay extra for the long weight?—I am sure if the pigs were sold by short weight they would be sold cheaper.
8192. What is the deduction of eleven pounds for?—For feet and head.
8193. Do the farmers get the feet and head?—They do not; at one time there was only four pounds taken off the pig, and then it came to eight pounds, and the first day the attempt was made there was a regular stand in the market; the farmers would not give it, and the buyers would not buy without it, for they had to give it themselves; and a gentleman wrote to Belfast and other places about it, and the answer he got back was, that if the sellers did not like it, they might keep their pigs at home.
8194. How do you weigh meat?—It is weighed to the half pound until it comes to twenty pounds, and over that it is weighed to the pound, down weight, and no deductions.
8195. Do you let the shambles?—Yes.
8196. Do you still charge for the old shambles, although they are shut up?—Yes; if they come upon the ground at all. There are poor butchers who stand in the open air, who pay nothing.

593. Mr. Jas. B. Boyd.

Mr. *James Browne Boyd* examined.

8197. Do you reside in Armagh?—I do.
8198. Do you buy flax in this market?—I do.
8199. What quantity?—I think you might say about 200,000 pounds-weight a-year.
8200. Is it bought in the street?—It is; and weighed at the private stores.
8201. Is any toll charged upon it?—None.
8202. How is it sold?—Made up in bundles, by the stone of sixteen pounds, and a quarter of a pound allowance.
8203. Is it weighed standing beam?—It is.
8204. Is that the custom of the town?—It is.
8205. Is there any charge made for weighing or porterage?—One halfpenny a stone is charged by the buyer for the store.
8206. Is that part of the profits?—If you have not a store of your own, it is generally given to the person in whose house you pay the sellers.
8207. But if you have a store of your own?—Then it is part of the profits.
8208. What do you deduct upon the hundred-weight?—Two pounds, if it is bought by

ARMAGH, 6th January, 1853.

593. Mr. Jas. B. Boyd.

the hundred-weight. We labour under a sad disadvantage here through the want of an inspector, and frauds occur to a very large extent. First, there is putting damp flax into the centre of the stone; another, is putting inferior flax into the centre of the stone; a third, is selling before the market hours; a fourth, is re-selling by the jobbers after it has been sold.

8209. Are frauds practised by the buyer?—Very frequently; after persons buy the flax, they will not take it if the market falls. There is a penalty of 10*s.* in the Act for such frauds as these; but if you have to go before a magistrate and make your complaint, it takes a great deal of time and trouble. Now, if there were an inspector in the market who would make it his business to bring such parties before the magistrates it would be a very great advantage.

8210. Would you be in favour of a general market for flax, and obliging it all to be sold and weighed there?—Most certainly; but it could not, possibly, be all weighed here.

8211. Would you be in favour of weighing all produce standing beam, the exact weight, and abolishing all deductions?—I think it is just as broad as it is long.

8212. Does it not keep up a fictitious price to make these deductions?—There is not a grower of flax in Ireland who does not understand them.

8213. But would it not be well to give things their proper names?—I should not have the least objection, not the slightest.

8214. Is not the system of charging $\frac{1}{2}d.$ a stone, making the seller pay for your store?—It is the custom all over the country, and in Monaghan and Cavan they charge 1*d.*

8215. Would you give the same price if it were knocked off?—Certainly not.

8216. How many stones do you buy on a market-day?—From 1,000 to 3,000.

8217. Instead of the merchant charging the farmer $\frac{1}{2}d.$ a stone, if the trustees provided proper accommodation, and charged $\frac{1}{4}d.$ a stone, would it not be an improvement?—Yes; but you cannot trust your property lying about a store.

8218. It would be just the same as in your own store.

594. Mr. James Kidd.

Mr. *James Kidd* examined.

8219. Do you reside in Armagh?—I do.

8220. You are Chairman of the Town Commissioners?—I am.

8221. Are the markets in this town conducted satisfactorily?—In general, I think, they are.

8222. Would you be in favour of having a general market for all articles of produce?—I do not think it could be done; there would not be room.

8223. Would it not be an improvement to have all corn sold and weighed in a public market?—It would, provided sufficient accommodation could be provided. I have known 400 tons of wheat sold without being taken off the carts at all; now I doubt very much if that quantity could be weighed in the public scales; I do not say that it might not be done.

8224. As a principle, is not the system of weighing in private an objectionable one?—It is; although I may say I know the trade for the last thirty years, and I have heard very few complaints; I have no doubt, however, that frauds, in that way, have been committed, which we hear nothing of. I would make an exception, as regards a public market, in the case of flax, because it all comes in weighed and made up in small bundles of sixteen and a-quarter pounds.

8225. Would it not be a great advantage to have the honest trader as well as the farmer protected?—It would, certainly.

8226. Would you be in favour of an assimilation of weights and measures all over the country?—Decidedly; the stone of fourteen pounds, the hundred-weight of 112 pounds, and the ton of twenty hundred-weight.

8227. Would you be in favour of abolishing all deductions under the name of beamage, weighing to the pound, standing beam, and only taking off the actual tare of the sack or firkin?—Yes; it would be the simplest and the fairest, and would give general satisfaction; I would also like to have 112 pounds weight of pork instead of 120 pounds.

8228. Does not the present system keep up a fictitious price?—It certainly does.

8229. Would it not be a very great advantage that, in such a market, you could obtain the proper statistics of the country?—It would be very desirable.

8230. Would you be in favour of having the market open and close at a certain hour?—I think it would be a very good plan; jobbers go out at present and meet the people on the roads; when corn is bought by sample, if there be a rise in the market you will, perhaps, hear nothing more of the seller, and if it falls, he is sure to bring it in, and, perhaps, a large quantity along with it.

8231. Of course your opinion would refer equally to the pork market and to every thing else?—Certainly.

8232. You would have the charge only sufficient to support the market respectably?—Nothing more.

8233. You would not allow it to be made the source of revenue to any public body or private individual?—Certainly not.

8234. Would you be in favour of having it vested in trustees, who should represent all classes?—I think so; I would certainly like to have the farmers represented.

ARMAGH,
6th January, 1853.

595.
Mr. William Paton.

Mr. *William Paton* re-examined.

8235. Have you heard the opinions expressed to-day?—I have.
8236. Do you generally concur in them?—I do.
8237. Would you be in favour of a general market?—I would.
8238. And an assimilation of weights and measures all over the country?—Certainly.
8239. Would you be in favour of weighing standing beam, to the pound, and abolishing all deductions?—I would, decidedly.

Schedule of Tolls and Customs, &c.

A Schedule of the Rates of the Tolls and Customs, to be applied for the Improvement of the Markets and the City of Armagh.

Market-house Customs.

	s.	d.
For every sack of meal, weighing included,	0	3
Sack of oats, do.,	0	3
Do., not weighed,	0	2
Bag of flour,	0	2
Standing for sack of potatoes,	0	1
Standing for cart or car of do.,	0	2
Crock or firkin of butter, weighing included,	0	2

Chas. Keays, *Cranemaster*.

Shambles' Customs.

	s.	d.
Carcass of beef,	0	4½
Cake of fat,	0	1
Hide,	0	1½
Two kips or runners,	0	1½
Calf-skin,	0	0½
Veal calf,	0	4
Pig, or bacon,	0	4
Sheep,	0	2½
Lamb,	0	1½

Felix Hughes, *Cranemaster*.

Tolls payable on the several articles occupying the streets in the City of Armagh, on Fair and Market Days, &c., under the denomination of Street Customs.

	s.	d.
Standing occupied by shoemakers,	0	1
Car with young pigs,	0	2
Hatter's standing,	0	1
Covered standing,	0	2
Uncovered do.,	0	1
Stocking-man's crate or standing,	0	2
Creel of fruit,	0	1
Sack of do.,	0	1
Sack of salt,	0	1
Car, with plants, young trees, brooms, &c.,	0	2
Standing, with wool,	0	1
Crockery standings,	0	2
Auction in the street,	0	6
Standing, with grass,	0	2
Carpenter's standing,	0	2
Cooper's work,	0	2
Nailer's standing,	0	1

31*st day of October*, 1821.

Armagh Tolls, in Account with the Treasurer.

1851.	*Dr.*	£	s.	d.
November,	To Paid Mrs. Vogan half-year's rent, to 1st, inclusive, less poor-rates, 6*s.*,	5	14	0
November 3,	Paid order, No. 61,	34	10	2
December 1,	„ „ No. 62,	14	18	2
December 18,	„ Collector crown-rent for markets, &c.,	0	6	10
1852.				
January,	„ Order, No. 63,	7	9	8
February 4,	„ „ No. 64,	6	13	7
March,	„ „ No. 65,	10	7	8
April,	„ „ No. 66,	8	5	4
May,	„ „ No. 67,	29	11	8
May 19,	„ Mrs. Vogan half-year's rent of shambles, to 1st, inclusive,	6	0	0
June, 7,	„ Order, No. 68,	34	11	7
July,	„ „ No. 69,	1	8	0
August,	„ „ No. 70,	3	13	0
September,	„ „ No. 71,	151	13	4
October,	„ „ No. 72,	1	8	0
	„ Interest on 57 debentures, to 1st November, 1851, £20 each; interest, £1 4*s.* each; Nos. 1 to 60, inclusive,	68	8	0
	„ Interest to November, 1850, on 3 debentures, Nos. 9, 10, and 26,	3	12	0
	„ Crown-rent for markets and fairs,	0	6	10
	Incidents,	0	2	6
	Balance brought down to new account,	268	7	2
		£657	7	6

ARMAGH, *6th January*, 1853.

Schedule of Tolls and Customs, &c.

ARMAGH TOLLS, in Account with the Treasurer—*continued.*

1851.		*Cr.*	£	*s.*	*d.*
November,		By Balance from last year's account,	306	7	6
November,		„ Keay's and Hughes's bills, £25 and £62 10*s.*,	87	10	0
1852.					
February	4, „	„ „	87	10	0
May	4, „	„ „	87	10	0
August	4, „	„ „	87	10	0
		„ Cash from Town Commissioners for rent,	1	0	0
			£657	7	6
		In Treasurer's hands,	£268	7	2

THOS. DOBBIN.

This account, examined and found correct, leaving a balance of two hundred and sixty-eight pounds seven shillings and two pence in the Treasurer's hands.

GEO. SCOTT.
JAMES BENNETT.

LURGAN, *7th January*, 1853.

596.

John Handcock, esq.

LURGAN, JANUARY 7, 1853.

John Handcock, esq., examined.

8240. Do you reside in Lurgan?—I do.

8241. Are you Chairman of the Town Commissioners?—Yes, and seneschal of Lurgan.

8242. You are agent of Lord Lurgan?—Yes.

8243. When were you appointed seneschal?—In April last.

8244. How long has the town been under the control of Town Commissioners?—Since 1829.

8245. Under what patent are the fairs and markets held in this town?—Under a patent, dated the 22nd of June, 1630, granted by Charles I., to Sir William Brownlow, Knight, in the fifth year of his reign. He was the ancestor of the present Lord Lurgan.

8246. Lord Lurgan is the representative of the original patentee?—Yes.

8247. And consequently owner of the fairs and markets?—Yes.

8248. What does the patent grant?—One free market weekly on every Friday, and two fairs yearly, one on the feast of St. James, and the other on the feast of St. Martin; the fairs to continue two days, respectively, unless they happen to fall upon Saturday or Sunday, when they are to be held on the Monday next following, and continue two days, and it grants courts of *pie poùdre* with all tolls, customs, profits, emoluments, jurisdiction, and privileges, whatever belonging to the said markets and fairs. All these tolls were given up by the present Lord Lurgan's grandfather.

8249. Is the market now held on Friday?—No; it is held on Thursday, in consequence of the opening of the railroad, and the Belfast market being on Friday.

8250. When was the change made?—In October, 1841. A memorial was presented to Lord Lurgan from the townspeople.

8251. Was there any authority or patent obtained for the change?—I believe not.

8252. There was no writ of *ad quod damnum* sent down to ascertain if the change affected any neighbouring market?—Not that I am aware of.

8253. Is there any market within seven miles held upon Thursday?—I am not aware of any.

8254. Are tolls paid at the fairs?—No.

8255. When were they abandoned?—Upwards of thirty years ago.

8256. Was it in consequence of opposition?—It was.

8257. Are the fairs held upon the days mentioned in the patent?—They are.

8258. What are the days?—The 5th and 6th of August, and 22nd and 23rd of November. The second fair day is now of very little consequence.

8259. Are there any other fairs held?—Yes; there is a fair on the second Thursday in every month.

8260. Was there a patent obtained?—None, whatever; it was done by general consent.

8261. Are there enclosed market places here?—Not except for the linen market. There are two linen markets, one in a house for diapers and damasks, and another in a yard, enclosed, for lawns and lighter fabrics. There is a market-house for meal, with a weigh-bridge attached for weighing hay and straw.

8262. What other market accommodation?—There is a house, or rather a wooden box, with scales for weighing corn. There is also a wooden weigh-house for pork, and butter sheds, also under cover. There is a fowl market, but there is no accommodation for it.

8263. Then all the corn, butter, pork, and every thing except linen, are sold in the open street?—Yes; the meat is sold in sheds, which are private property.

8264. Is all the agricultural produce sold in the town weighed at the places you have mentioned?—A great deal of the grain is weighed at the private stores.

8265. Where is pork weighed?—All in the public scales.

8266. Where is butter weighed?—A good deal is weighed about the town. Meal is weighed sometimes in the scales, and sometimes at private stores. The meal-market has very much decreased.

8267. Is all the linen sold in the Linen-hall?—No; merely for what is called the open market. There is a good deal of manufacturing carried on independent of the market altogether; it is used by the small manufacturers and by weavers. The open market had fallen off, but the trade is increasing.

8268. Are all the markets under the superintendence of Lord Lurgan?—No; he does not exercise control over them. The butter market and the pork market were erected by subscription. In 1840, a Market Committee was established, who raised money by subscription, and erected sheds for the sale of pork and butter, and made a small charge for weighing, to cover the expense.

8269. Did they appoint a weighmaster?—They did.

8270. What weighmaster has Lord Lurgan appointed?—The weighmaster for the meal and corn.

8271. Is there a sufficient number of beams and scales provided?—I should think so; I have heard no complaints on the subject.

8272. If all the agricultural produce had to go to the public crane, would there be sufficient accommodation?—I should think not.

8273. Is any of the weighmasters sworn?—None of them.

8274. Do they charge what they like, or is there a scale laid down?—There is a certain scale; I never heard complaints about it, and never interfered.

8275. Do they account to you for their receipts?—No.

8276. They keep what they receive as salaries?—Yes.

8277. Is corn sold here by the barrel or by the hundred-weight?—By the hundred-weight of 112 pounds.

8278. Where are the fairs held?—In the open street.

8279. No enclosed fair-green?—No fair-green of any kind.

8280. Do you consider the street a convenient place for the holding of fairs?—I have heard inconvenience much complained of; the streets are crowded a little upon fair-days.

8281. Would not an enclosed fair-green be better?—I do not know that it would be of very much use here; there is not much cattle, and it is a very bad horse fair.

8282. Do the townspeople complain of the streets being crowded?—They complain more on market days; the market is increasing, and it is all held at one part of the town, where there is considerable pressure.

8283. Have you a flax market here?—No.

8284. Would you explain how the Market Committee was originally constituted?—On the 26th of October, 1841, a meeting was held, at which it was resolved to alter the market day, and to hold monthly fairs. Then there was a subscription list opened for the purpose of erecting butter sheds and a pork market, and £76 was subscribed by the inhabitants of the town, which was vested entirely in the hands of a Committee of fifteen gentlemen who were named at the first meeting, the survivors of whom still continue to act. They laid out the money in erecting sheds, and made certain charges for the use of the scales and weights.

8285. It is not held in shares?—Not at all.

8286. Was the appointment of these gentlemen sanctioned by Lord Lurgan?—Yes; he was one of them himself. Three years ago a joint committee was formed, when the Summary Jurisdiction Act was passed, which gave additional power to Town Commissioners over markets; a joint committee was formed, at a meeting held here, of the Market Committee and the Town Commissioners, to carry out arrangements for the butter and pork markets.

8287. Have you a secretary and treasurer?—We have a secretary, who is also clerk to the Town Commissioners. We have no treasurer, the money is lodged in the bank.

8288. Of course the four Town Commissioners are changed yearly?—They are appointed yearly.

8289. Did the Committee appoint a weighmaster?—They did.

8290. Is there one weighmaster for pork and butter?—There is. We had formerly two, but one man manages both now; we have also a weighmistress.

8291. Would you be in favour of a general market, with proper accommodation, sufficient staff, and sworn weighmasters, and have all the agricultural produce sold and weighed there?—It is a very difficult question. I think myself some of the markets would be very advantageously removed to a market square, but there would be great objection upon the part of the inhabitants of the town. It would be very desirable to have them all classified, and have proper accommodation, but I do not know where you would get a square large enough.

8292. These are matters of detail, but as regards the principle?—As regards the principle, I think it would be desirable.

8293. Would you be in favour of an assimilation of weights and measures all over the country?—Most decidedly. I would have an uniform system of dealing everywhere.

8294. What would you think the best uniform system of weighing?—We have been always accustomed to the stone and hundred-weight. I should like myself to get the decimal system of weights introduced, but if that could not be carried out, I should like to weigh by the hundred-weight and stone. Pork here is bought by the long hundred-weight, of one hundred and twenty pounds, which is illegal, and I endeavoured to stop the practice, but they evade the law by purchasing by so many pounds.

LURGAN, *7th January*, 1853.

596. John Handcock, esq.

8295. Would you be in favour of weighing all agricultural produce standing beam, to the pound, and abolishing all deductions?—I certainly would.

8296. Does not the present system of nominally paying for a certain quantity, and in reality getting a great deal more, if it does not actually injure the farmers, tend at least to keep up a fictitious price?—Certainly it does.

8297. Would you approve of opening and closing the market at a certain hour?—I would; we do so here with the linen and pork markets.

8298. Would it not be a very great advantage that, in such a market, you would be able to obtain the statistical returns of the country?—Of course it would; the only difficulty I see is, whether the market would pay its expenses. The farmers complain a good deal of the charges in Belfast.

8299. Of course the expense to the farmer should be nothing more than would support such a market?—Certainly, no more.

8300. Have you ever heard of frauds practised in private weighing?—One or two instances, but they are very rare.

8301. Does not the system offer great facilities for fraud, if a person chooses to be dishonest?—I do not know; I see great difficulties in carrying out a wholesale system of weighing, for I fear it never could be got through.

8302. What are your duties as seneschal?—Practically nothing; I never hold a court.

8303. Are you a magistrate for the county?—I am; there is another gentleman also resident here.

8304. Then you have no great difficulty in deciding disputes?—No.

8305. In places where there are no local magistrates, would it not be desirable to give the Town Commissioners increased powers?—Yes, I would give them very extensive powers for deciding disputes and regulating the markets.

8306. As a general rule throughout the whole country, would you be in favour of vesting the markets in trustees?—I would be in favour of vesting them in the Town Commissioners.

8307. Would not that be vesting them altogether in buyers? Do you not think it would be better to vest them in trustees selected from, and representing all classes?—I would like to see a greater number of persons voting, and the Town Commissioners made to represent all classes. There might be an appeal vested in some controlling power, such as there is over Boards of Guardians, and functionaries of the same description. It seems to me, that a local government of that sort, elected by the inhabitants, affords the best safeguard for having the market well looked after.

597. Ellen Browne.

Ellen Browne examined.

8308. Do you reside in Lurgan?—I do.

8309. What is your occupation?—I superintend the weighing of corn at the crane.

8310. By whom were you appointed?—By the late Lord Lurgan; he continued me in the office, as successor to my father, who held it before.

8311. How many beams and scales have you?—A large one for weighing corn, and a small one for weighing the empty bags.

8312. How many persons do you employ?—One man to attend the scales and lift the weights. I do the clerk's work myself.

8313. Have you an office there?—Yes.

8314. Is all the corn weighed at your scales?—No, a very small proportion.

8315. What quantity do you weigh in a year?—I could not tell, but it is made up in the book.

8316. You keep a book?—Yes.

8317. Do you weigh any thing but corn?—Nothing; and a good deal of the corn is weighed at the meal crane.

8318. You do not account for your receipts?—No, I keep the receipts.

8319. What do you charge?—One penny a draught, large or small.

8320. What is your system of weighing?—A turn of the beam.

8321. Do you require the scale to touch the ground?—Yes, generally.

8322. Do you weigh to the pound?—No, to the two pounds.

8323. If it were standing beam, would you throw out two pounds?—Yes.

8324. Then a person may lose any thing short of two pounds?—Yes, he may.

8325. What deductions do you make for beamage?—There have been none made these three years past; there used to be three pounds taken off the beam generally.

8326. Do you deduct the weight of the empty sack?—Yes.

8327. Do you weigh the empty sack to the two pounds?—No, to one pound.

8328. Do you enter the weight of the corn in the book?—Yes, and the name of the seller, and make out the ticket from it.

8329. Do you put the price in the ticket, or the weight of the sack?—No.

8330. Do you weigh on every day in the week?—None comes in except upon market-days, but if it did I would weigh it.

8331. Are odd pounds paid for?—Yes, $\frac{1}{2}d.$ a pound when they come to less than a stone.

8332. How long have you been performing the duties?—Twenty years.

8333. Did you weigh a great deal last year?—The market was better than the year before.

8334. Could you give a copy of a ticket if it were lost?—I could.

8335. But not the tare of the sack?—No.

LURGAN,
7th January, 1853.

John Macrory examined. 598. John Macrory.

8336. What is your occupation?—Weighmaster of the meal crane.
8337. By whom were you appointed?—By Mr. Handcock, agent to Lord Lurgan.
8338. When were you appointed?—I think eighteen or nineteen years ago, when my father died, who was weighmaster before me.
8339. What weighing accommodation have you?—A large scale, and a weigh-bridge, and sixteen small scales for potatoes, which I let out at 2*d.* a day, and the parties themselves weigh.
8340. What do you weigh?—I used to weigh a great deal of meal, but it has nearly all left the market, and is taken upon the miller's word. Whatever corn is fetched to me I weigh.
8341. What do you charge?—Two pence a draught.
8342. Independent of weight?—Yes.
8343. If you weighed six or seven stone of grain, would you charge 2*d.*?—I would only charge 1*d.* for a hundred-weight, but any thing over that I charge 2*d.* I sometimes put two bags in the scale.
8344. What is your system of weighing grain?—Just merely a turn of the beam.
8345. What is the smallest weight you use?—One pound.
8346. If it were standing beam, would you take out one pound?—I would.
8347. That is all a person can lose?—It is; I do not think he would lose over that.
8348. Do you deduct the actual weight of the empty sacks?—I do.
8349. Do you give a ticket?—Yes.
8350. Do you keep a book?—Yes.
8351. What does the ticket state?—The gross weight, the date, and the tare of the bags.
8352. No beamage?—Nothing at all.
8353. Do you get much corn to weigh?—In the season of the year I do.
8354. Is your system of weighing meal the same?—Exactly the same.
8355. And potatoes?—Just the same.
8356. Is there much corn weighed at the stores?—Yes, considerably more than I weigh.
8357. Have you ever heard of frauds practised in private weighing?—Very seldom in this town.
8358. Did you ever hear persons say you did not give them good weight?—I did.
8359. Too nice, was it?—Yes,
8360. What is the system of weighing in the private stores?—They sometimes take two pounds on the draught, sometimes three pounds, and sometimes four pounds.
8361. How often do you get your weights adjusted?—About once or twice a year.
8362. What would it take to bring your scales, with a heavy draught, from standing beam to down weight?—Half a pound or one pound.
8363. What height are they from the ground?—About six or eight inches.
8364. Do you keep a copy of every ticket in your book?—I do.
8365. If a man lost his ticket, could you give him a duplicate?—I could.
8366. Do you enter the tare of the sack?—No.
8367. Do you account for your receipts to Lord Lurgan?—No; they are for my own salary, and they are very easily kept now.
8368. If a person brought his own scales to weigh potatoes, would you oblige him to take yours?—No.
8369. Do you keep a book for the crane?—No.
8370. Why so?—We get very little to do there.
8371. What staff do you employ?—Sometimes I have a man, and sometimes not.
8372. Are odd pounds of grain paid for?—Yes, down to seven pounds, and from that they are calculated at the next lowest even price.
8373. Do you store meal or grain?—I do.
8374. Do you charge for it?—Not generally.
8375. I suppose if parties weigh with you they get storage from you?—Yes, gratis.

Mr. *William Sear* examined. 599. Mr. William Sear.

8376. Do you reside in Lurgan?—I do; I am secretary to the Committee established in 1841, and also clerk to the Town Commissioners.
8377. The Market Committee raised money by subscription?—Yes.
8378. How was it spent?—In erecting butter sheds and corn boxes, employing a weighmaster, and supplying weights.
8379. They make a charge for weighing?—Yes.
8380. And employ a weighmaster?—Yes; and during the busy season he has an assistant.
8381. Is he sworn?—No.
8382. Did the Committee lay down a scale of charges?—They did.
8383. What are the charges?—In the pork market 2*d.* a draught; butter in crocks and firkins, 1*d.*; lump butter under five pounds, nothing; five pounds and under twenty, ½*d.*; twenty pounds and under thirty pounds, 1*d.*; thirty pounds to forty pounds, 1½*d.*; forty pounds to fifty pounds, 2*d.*; fifty pounds to sixty pounds, 2½*d.*; sixty pounds and upwards, 3*d.*
8384. No higher charge?—No.
8385. Sixty pounds in a crock would be only charged 1*d.*?—That is all.
8386. Is not that a strange arrangement?—That is the arrangement made by the

LURGAN, 7th January, 1853.

599. Mr. William Sear.

Committee, and carried out by the weighmaster. I can give no information as to the reason why the difference is made.

8387. Any other charge?—We charge 6*d.* a day to merchants for the use of the scales and storage, when they use our butter sheds.

8388. Can you give us a statement of your receipts and expenditure for the last three years?—I can.

MARKET COMMITTEE, LURGAN.—PORK AND BUTTER MARKETS.

Statement of Receipts and Expenditure for three years, ending 31st December, 1852.

RECEIPTS FOR WEIGHING.

Pork.			Butter.			Total.			Expenditure.		
£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
74	12	8	38	0	11	112	13	7	96	13	4

H. Robinson, Esq. WILLIAM SEAR, *Secretary to the Committee.*

8389. What was done with the surplus revenue?—We were a little in debt at the commencement of the year, and since then we have given money towards the improvement of the town, and we give £5 a year for keeping the town clock in order. My own salary is not included there.

8390. What is the balance in hands now?—Seventeen pounds.

8391. Do the Committee themselves derive any revenue from the receipts?—Not a fraction.

600. William Neill.

William Neill examined.

8392. Do you reside in Lurgan?—I do.

8393. What is your occupation?—I am weighmaster for butter and pork.

8394. By whom were you appointed?—By the Market Committees.

8395. Do you account to them for your receipts?—I do; and I get a weekly salary.

8396. What are your charges for weighing?—The same as the last witness has stated.

8397. No other charge?—None.

8398. You receive 6*d.* a stall from merchants?—Yes.

8399. Why do you charge so much more for lump butter than you do for crocks or firkins?—There might be a great many draughts in the lump butter, and there is more trouble in weighing.

8400. How many pair of scales have you?—Three for butter: one for firkins, and two for lump butter, one small and one large.

8401. What in the pork market?—One large scale.

8402. Do you give a ticket?—Yes.

8403. What is your system of weighing pork?—With a cast of the beam to the pound.

8404. Then a man may lose one pound in standing beam?—He may.

8405. What deduction?—Eleven pounds on each pig, which always lie in the scale, and are never brought into the ticket at all.

8406. Do you make it twelve pounds upon a wet day?—No; but I believe the buyer does.

8407. What is that for?—Head and feet

8408. Does the seller get the head and feet?—I do not suppose he does.

8409. Do you weigh by the short hundred-weight of 112 pounds?—I do; and the buyer makes it into the long hundred-weight of 120 pounds.

8410. Suppose a pig weigh two hundred-weight, one quarter, and twelve pounds, how does the buyer bring it into a long hundred-weight?—Eight pounds to the hundred-weight is deducted from the long hundred-weight.

8411. Is it ever deducted from the short hundred-weight?—No; that would not be fair to the seller.

8412. What charge is made?—The buyer charges 6*d.* for carriage and for the house.

8413. And you charge 2*d.*?—Yes.

8414. Then the seller loses eleven pounds and 8*d.*?—He does; and I have seen the buyer take off twelve pounds on a wet day.

8415. Then the seller may lose thirteen pounds, including one pound for down weight on a pig?—He may.

8416. What is the average weight of a pig?—One hundred-weight three quarters.

8417. What is the value of twelve pounds of pork?—I suppose 5*s.*

8418. Then a farmer may lose nearly 5*s.* 8*d.* on every pig?—He might. Yesterday there was a man losing just the same on a pig which only weighed two quarters and thirteen pounds.

8419. What does the buyer do for the 6*d.* he stops?—He only just puts it in his pocket.

8420. He goes into a public house, perhaps, where he has nothing at all to pay, for the publicans will give accommodation in order to have custom.

8421. What is the greatest number of pigs any buyer purchases here in a day?—He might buy twenty or thirty. I knew men to buy fifty.

8422. Have you ever heard complaints about persons after they have bought a pig declaring it is measly?—There are some cases of it, but the Committee have an inspector to inspect pork.

8423. Do the farmers generally complain of the deductions and charges?—They have often made complaints to me about them, but I could do nothing; the system has been so long carried on they cannot do any thing.

LURGAN, 7th January, 1853.

600. William Neill.

8424. Did you ever hear complaints about persons scoring pigs, and afterwards saying they were measly, and wanting to cut them?—That may be done in other places, but there is an inspector here who would decide whether the pig was measly or not at once.

8425. Does he decide as to the deduction for measles?—No; I mark upon the ticket that the pig is measly, and the buyer and seller arrange the deductions.

8426. What is your system of weighing crocks of butter?—Down weight to the pound.

8427. What deduction?—I deduct nothing; I have the butter turned out of the crock, and weigh the crock, and then put in the butter, and weigh crock and all, and I give the net weight.

8428. Is there no beamage?—Generally two pounds taken off each crock, from thirty to sixty pounds for waste, and from that up, four pounds.

8429. What charges are made?—Sixpence each crock.

8430. Does that include cooperage?—Yes; and 1*d.* is paid to one.

8431. How do you weigh lump butter?—To the quarter pound, with a cast of the beam, and no deductions; there is one pound beamage taken off twenty pounds, between the buyer and seller, but it is not a rule of the market.

8432. Do you strip firkins?—No; we take the brand on them.

8433. How do you know that it is right?—If there is any doubt, it is weighed; I have known firkins to be one pound and two pounds more than was marked on them.

601. Mr. Wm. Murray.

Mr. *William Murray* examined.

8434. Do you live in Lurgan?—I do.

8435. Are you in the butter trade?—I am.

8436. Do you buy firkin and crock butter?—I do.

8437. Is the evidence of the last witness correct as to the charges in the market?—It is.

8438. What deductions do you make?—Two pounds a crock up to sixty pounds, and over that four pounds.

8439. The same on the firkin?—Yes.

8440. For what do you charge the seller sixpence on each crock or firkin?—We have to pay the cooper; he has to take it out and put it in, and put a head upon it, and between all there is nothing saved.

8441. Would you be in favour of weighing to the pound, standing beam, and abolishing all deductions?—If it were a rule in every other market it would be far better; it puts nothing in our pockets. The Market Committee here made a regulation that the farmer should be paid for all the butter he had, and it was put up, the notice in print, for the farmers to see it; and when we gave them their choice which they would take, they all cried out to get the high prices, and give the deductions.

8442. Perhaps you offered them less than the difference?—Oh, no.

8443. Does not the system keep up a fictitious price?—It does.

8444. Is this a large market?—It is not; I can get more in Armagh in one day, where there are fifteen buyers, than here in four days.

8445. Would you be in favour for a general market for butter?—Yes; very much so.

8446. Have every thing weighed to the one pound standing beam, and make no deductions but the actual weight of the empty firkin or sack?—I would be very much in favour of such a system.

602. Mr. Richard Coulter.

Mr. *Richard Coulter* examined.

8447. Are you one of the Market Committee?—I am.

8448. Are you a farmer?—I am.

8449. Where do you reside?—About a mile from Lurgan.

8450. Do you sell butter here?—I do.

8451. How much land do you farm?—About sixty acres.

8452. Are the answers we have received generally correct, in your opinion, as to the charges and deductions at the market here?—Yes; at first the system was not so bad, but the practice is increasing.

8453. Would you be in favour of a general market, with sworn inspectors and weigh-masters, and oblige parties to pay the farmer for what he has got, regulating their prices accordingly, and abolish all deductions?—Certainly, I would; and I am sure it would gain the general consent of the farmers at large.

8454. As a farmer, would you object to pay a small charge to support such a market?—If the thing was handled wisely, I would be very much inclined to it.

8455. Would it not be the fairest system for all agricultural produce to be weighed at the public scales?—Certainly, if it could be managed generally; I do not think four scales would do it.

8456. But have twenty, if necessary, as in Cork, where all the business is over in a few hours?—It would be quite the best system; when I weigh at the private stores, with the most honest and correct man, the weight is always a little short of what I weigh it at home. I hang my scales six inches from the barn floor, but when I come to the stores I have to weigh in scales, perhaps twelve or fourteen inches from the ground; then it must three times touch the ground, or off goes a two pound weight.

8457. You cannot lay down rules for all the private stores in the country?—Certainly not; you can have no tie upon what goes to the private stores.

8458. Would you remove the markets off the streets?—No, it would not work; the

LURGAN, *7th January*, 1853.

602. Mr. Richard Coulter.

farmers and townspeople would object to it. I may mention to you that in Belfast, although the pork merchants would weigh for us in their own scales, we go to the market for one particular object, that there is an inspector there who would pronounce whether pork was measly, or smelling, or any thing of that kind; in this town, from the experience of some of the Market Committee, we have fixed an inspector for the market, and no man can take advantage of the farmer, for he decides at once, and men would be imposed on otherwise.

8459. You would be in favour of an uniform system of dealing everywhere?—Yes; by hundreds, quarters, and stones.

8460. Would you be in favour of having the market begin and close at a certain hour?—I would; I would have an appointed hour, and a bell rung, so that no buyer could take advantage of the farmer.

8461. Would it not be very desirable, in such a market, to obtain the proper statistics of the country?—It would be a great advantage, and would give us a valuable share of information which we have not now. I think the public labour under a great disadvantage from the want of a proper uniform system of weighing.

8462. You would abolish all such charges as 8*d.* on pigs, and 6*d.* on butter?—Certainly, I would.

603. Mr. James Johnston.

Mr. *James Johnston* examined.

8463. Do you reside in Lurgan?—I do.

8464. Do you buy corn?—Yes; for Mr. John Tuite, of Aghalee.

8465. Do you buy much in the course of the year?—Not a great deal here; perhaps a couple of hundred tons.

8466. Do you buy in the streets, and weigh at your own stores?—Yes; or take it from the market crane.

8467. Do you charge for weighing or porterage, at your stores?—No; we make no charge.

8468. What is your system of weighing?—Two pounds is the smallest weight we use, and we weigh with a cast of the beam.

8469. Then a person may lose two pounds, standing beam?—Certainly.

8470. What do you deduct?—The customary thing is to take two pounds on every draught.

8471. Then a person may lose four pounds at each draught?—He may.

8472. You deduct the weight of the empty sack?—Of course.

8473. Would you deduct two pounds upon a draught of two hundred-weight?—The same on every draught.

8474. Do you pay for odd pounds?—Certainly; at the same rate until it comes to half a stone, and then we pay at the nearest possible rate.

8475. Would you object to buy in a well arranged public market?—If it were a general thing I would be in favour of it.

8476. Would not such a market be a protection not only to the farmer, but to the honest trader?—I should think it would.

8477. Did you ever hear of men who weighed unfairly being able to give higher prices than others?—Just so.

8478. There should be heavy penalties for frauds by either party?—Of course.

8479. Would you be in favour of abolishing all deductions of beamage and weighing to the pound?—If it were general, I certainly would think it the best.

8480. Would you approve of an assimilation of weights and measures over the whole country?—I think it would be a great improvement.

8481. What system of weighing would you consider the best?—By the hundred-weight.

8482. Would not by the stone of fourteen pounds be more convenient?—No; I think not.

8483. Do you ever get any of the corn weighed by Macrory?—I do.

8484. Do you give the same price for the corn weighed by him as that from the weigh-master?—Yes; just the same.

8485. But as the system is different you must lose by it?—I do not doubt that we do; but we charge the additional beamage.

8486. Do you think the system of weighing in private offers facilities for fraud if a party chooses to be dishonest?—I do. I think it would be a good thing to fix the hours for the market.

8487. Would you be in favour of the market commencing by a bell ringing at a certain hour, and closing at a certain hour?—Yes; I think every market should fix its own hour.

604. Mr. Thos. Riddall.

Mr. *Thomas Riddall* examined.

8488. Are you a farmer?—I am.

8489. Do you generally concur in the opinions expressed?—I do not concur in forcing a man to go to a public scales; I would rather leave it at his own option, and have an uniform system of weighing.

8490. How would you enforce it?—Let an inspector attend at the different stores. If you go to a public scale, you must have the sacks all taken off, weighed, and put on again to go to the store.

8491. But in markets where it has been left optional, we have found that the public scales were never used?—I would rather leave it optional to weigh with the merchant; but I certainly object to the system of weighing in some private stores.

LURGAN, 7th January, 1853.

604.

Mr. Thos. Biddall.

8492. You have an Act of Parliament at this moment, that if a merchant takes an ounce more than is standing beam, he can be fined.—But it is not in force. One farmer is unwilling to act, for if he takes a stand against the purchaser, he will be held up to enmity in the market, and it will be a considerable expense to him; but if we acted in concert as a society, we could remedy a great deal of it. But if you made a law compelling people to go into the public scales, some farmers would not come into the market at all; they would go to the stores close to them.

8493. You cannot have a public crane if you leave it optional?—We could, for many merchants here would not take the ticket of a public crane.

8494. He might not take it before, but it would be a different thing in a public market?—But it might raise disputes, which would cause delay, and I may want the money to-day.

8495. In markets where the system is carried out, there are no disputes when the grain goes to the stores. When it is left optional, a man who goes to the public scale, is considered to have put a slight upon the merchant, and he will not take the corn at all. In some markets the merchants keep spies for the purpose. I think any alteration in the market of Lurgan would be a great injury.

Banbridge, January 8, 1853.

BANBRIDGE, 8th January, 1853.

John Temple Reilly, esq., examined.

605.

John T. Reilly, esq.

8496. Where do you reside?—Within three miles of Banbridge.

8497. Are you agent to the Marquess of Downshire?—I am.

8498. Under what patent or authority are the markets held here?—Under a patent granted in the reign of Charles II., to Colonel Hill, Lord Downshire's ancestor.

8499. What did the patent grant?—The power of holding markets upon a certain day, with a right to levy tolls, and five fairs in the year: on the 10th of January, the 1st of March, 9th of June, 26th of August, and 1st of September.

8500. Who is the present proprietor?—The Marquess of Downshire, as representative of the original patentee.

8501. How often are the markets held?—On Monday and Tuesday; Monday for butter, eggs, fowl, beef, pork, meal, flax, and potatoes. Tuesday for the sale of grain, hay, straw, turnips, and green crops generally.

8502. Is corn sold in the market upon any other day than Tuesday?—Not that I am aware of.

8503. Are there any tolls paid at either the markets or fairs?—None, whatever.

8504. Were they formerly levied?—I understand they were; but they were abandoned about thirty years since, at the time of the toll riots, when tolls were abandoned generally throughout the whole country.

8505. Are there enclosed market-places here?—There is a market-house and a yard with stores, in which there are three beams and scales, with a weigh-bridge for hay and straw.

8506. Has a weighmaster been appointed for the market?—Yes, in 1825, by the late Lord Downshire.

8507. Was he appointed under an Act of Parliament?—Yes, under the 52nd George III.

8508. He was appointed weighmaster and butter taster?—Yes.

8509. Is all the agricultural produce which is sold in the town, sold in the market-place?—I believe some is sold at the private stores.

8510. How many fairs are held at present?—Three old fairs; and there are also monthly fairs held upon the first Monday in every month, but they are very small.

8511. Was there a patent obtained for holding these fairs?—Not any.

8512. When were they established?—About twenty-five years ago.

8513. By general consent?—Yes.

8514. Is all agricultural produce weighed in the market scales?—I should say the most of it, but not all.

8515. Have you ever heard of frauds practised in weighing at private stores?—I cannot say I have, in this town.

8516. Do you consider that the system is an objectionable one, as offering facilities for fraud if parties choose to be dishonest?—I think it is.

8517. Would you be in favour of obliging all agricultural produce to be both weighed and sold at the market-place under the superintendence of sworn weighmasters and inspectors?—Certainly. I consider that it would be a great advantage, and, more than that, I think the farmers themselves would also consider it so.

8518. Do you think the farmers would object to pay a small charge to support such a market?—I think they would not.

8519. Would you be in favour of an assimilation of weights and measures all over the country?—Unquestionably. I consider it would be a great boon.

8520. What would you consider the best uniform system?—We sell by the hundredweight here. The stone of fourteen pounds would be very convenient; but I cannot say which would be the most convenient. I think the great point would be similarity.

8521. Would you be in favour of weighing all agricultural produce, standing beam, to the pound, and abolishing all deductions except the actual weight of the empty cask or firkin?—Certainly; whatever would simplify the matter, I would consider the best.

8522. Have not these deductions at least the disadvantage of keeping up a fictitious price?—I think they have.

BANBRIDGE, 8th January, 1853.

605. John T. Reilly, esq.

8523. Would you be in favour of the market commencing and closing at a certain hour?—I think whatever would reduce the arrangement to a system would be an advantage.

8524. Would it not be a great advantage that in such a market you could obtain the proper statistics of the country?—It would be very desirable.

606. Mr. Stewart Craig.

Mr. *Stewart Craig* examined.

8525. Do you reside in Banbridge?—I do. I am weighmaster and butter-taster for the town.

8526. By whom were you appointed?—By the late Marquess of Downshire. I was appointed on the 16th of December, 1825, under the 52nd George III.

8527. Did you ever receive any other appointment?—Never.

8528. Did you receive compensation upon the repeal of the Act?—I did not. I did not know how to look for it.

8529. Do you charge fees for weighing?—I do.

8530. Are any tolls now paid?—None whatever.

8531. Do you know when they were abandoned?—About twenty years since.

8532. Was it in consequence of opposition?—It was in consequence of the trouble of collecting, and it was thought an improper way to obtain them by swearing people.

8533. Do you charge cranage fees?—I do.

8534. Do you rent those fees?—I do.

8535. What do you pay for them?—£32 a year.

8536. For that you have the use of the market-house and market-place, the beams and scales, and the weigh-bridge?—I have.

8537. What is sold in the market-house?—Meal and oats. We have hardly any other grain.

8538. What is sold in the market-square outside?—Potatoes, fowl, and other produce.

8539. If all the corn were to be sold in the market, would the accommodation be sufficient?—I think it would.

8540. How many beams and scales have you?—One in the market-house, one in the yard, and one in the butter-yard, which is private property, belonging to Mr. Hill; but Lord Downshire has the right of weighing there.

8541. Did Mr. Hill obtain the permission of Lord Downshire to establish a butter market?—He did.

8542. Do you superintend the weighing there?—I do; it is included in my rights.

8543. Are the beams and scales the property of Lord Downshire?—One is, which is for butter; the other, for beef, is not.

8544. Have you any small scales?—Yes, for potatoes, which I let out.

8545. Do you superintend all the weighing yourself?—I do.

8546. What are your charges?—Two pence a draught for all grain, irrespective of weight.

8547. Were the charges fixed by you?—No; they were fixed before I got the office. I charge 3*d.* for a pig, and 1*d.* extra for keeping a second list for the purchaser. Butter, 3*d.*—2*d.* for weighing and 1*d.* for draining and taking in charge. Two pence a crock; but we have scarcely any crocks. There is no lump butter brought to the scale. Meal, 2*d.* a draught; potatoes, for a load of one hundred-weight, when bought to be retailed out.

8548. You do not weigh there yourself?—No; we give them the use of the small scales. We would weigh them in the large scales at 4*d.* a load. If weighed in the weigh-bridge we would only charge 2*d.* Flax is not weighed with me at all. Beef, 4*d.* per carcass. The charges on the weigh-bridge are 2*d.* a draught; we formerly charged 4*d.* for a load of any thing.

8549. Has Lord Downshire ever sanctioned those charges?—The former Lord Downshire did; I have not shown them to the present Lord Downshire. I make only the usual charges; in fact I have reduced some of them.

8550. Is it quite optional with you to charge any thing you please?—I suppose there would be no objection to my lowering them; but I do not think it would be proper to raise them without the sanction of Lord Downshire.

8551. What staff do you employ?—Mr. Hill takes care of his own market; and there is a person lives in the market, who cleans up the yard. I employ six persons on Tuesdays, to assist in weighing, exclusive of myself.

8552. Who writes the ticket?—One of these men.

8553. Do you keep printed tickets?—No.

8554. Is all the agricultural produce weighed at your scales?—The greater part of it is; but some persons weigh elsewhere.

8555. In order to avoid the charges for weighing?—Yes.

8556. Is there much corn bought in the town?—We have a very good corn market; from 100 to 300 sacks on Tuesdays; perhaps an average of 100 sacks the whole year round.

8557. What is your system of weighing at the crane?—Standing beam, with one pound weight.

8558. What deductions?—Two pounds beamage.

8559. How do you weigh meal?—Down weight, to the pound.

8560. Any deductions?—None.

8561. What would it take to bring your scales from standing beam to down weight?—One pound would do it.

8562. Do you tare the empty sack?—Yes.

8563. Then all a person can lose is one pound on meal, and two pounds on corn?—Yes.

8564. Do you give a ticket?—Yes, stating the weight.

8565. Do you enter it in a book?—I do.

8566. Do you put the name of the buyer and seller in it?—No, only of the seller.

8567. Do you only enter the gross weight?—Yes, we take out the beamage in the scale, and never enter it all.

8568. How do you deduct the weight of the sack?—The parties weigh them in their own places, or they bring them to me, and I write the weight in the ticket.

8569. Do you charge for porterage?—They pay men themselves for porterage. I allow men to porter at ½*d.* a sack; but the people do the work for themselves very often.

8570. Then the farmer may employ the porters, if he wishes, or may do the work himself?—Just so.

8571. What is your system of weighing pork?—Down weight, to the pound; and eleven pounds deducted from each pig.

8572. What is that for?—For head and feet.

8573. Do the farmers get the head and feet back?—No; but if they choose to take them, they would get them at half price, I am sure. If the day is wet, or if the pig is salted, one pound more is taken.

8574. Then a man may lose thirteen pounds on a wet day?—Yes, or thirteen and a-half pounds. The scale is rather higher than the meal scale, about eight inches from the ground.

8575. What charges does the merchant make?—Two pence for porterage, and 2*d.* for the house he pays in. The merchant takes 8*d.* off every pig, and gives me 4*d.*

8576. Then a man may lose thirteen and a-half pounds, and pay 8*d.* on every pig?—Yes.

8577. What is the value of thirteen and a-half pounds of pork?—Four pence halfpenny a pound; about 4*s.* 10*d.*

8578. Do the merchants buy by the hundred-weight?—By the long hundred-weight of 120 pounds. I weigh by the short hundred-weight of 112 pounds.

8579. You make out the ticket by 112 pounds?—Yes.

8580. And leave the buyer to bring it from short hundreds-weight into long?—Exactly; but if the seller wishes I will make it into long hundreds-weight for him.

8581. Suppose a pig weighed two hundred-weight, two quarters, and eleven pounds, how would you bring it into long hundreds-weight?—By taking twenty pounds off the long hundred-weight.

8582. Do the buyers ever deduct it from the short hundred-weight?—I never saw them, or heard of it.

8583. Does a person get more for a small pig than he would for a large one, in proportion?—I think he does, calculating upon that system, although I think it is a very bad one. When I commenced first it was only eight pounds, but we had to go here according to the Belfast merchants.

8584. What is your system of weighing butter?—Down weight, for firkin butter, to the pound, and two pounds deducted off every firkin for tret.

8585. Any other deduction?—The tare of the firkin.

8586. Do you strip the firkin?—Not unless it is suspected to be too heavy.

8587. What is generally branded on the firkin?—Fourteen pounds.

8588. Suppose a firkin weighed, fresh, twelve pounds, what does the cooper brand on it?—I think he acts according to his customers' wishes. Some farmers will not take the firkin if it is too weighty, and some would wish to have it weighty, which is the general system. The worst thing that ever happened to our trade was the doing away with the proper inspection and branding of the casks.

8589. Do you generally find the branded weights correct when you strip the firkins?—No, very seldom.

8590. Do you make any charge for stripping them?—No.

8591. Who inspects the butter?—The buyers inspect for themselves.

8592. Do you give a ticket?—I give a list; persons generally buy in large quantities.

8593. Is there much firkin butter sold in the town?—Not so much as formerly.

8594. Does the buyer make any charge?—Mr. Hill gets 1*d.* for the yard; 1*d.*, for heading, to the cooper; and the buyer gets 2*d.* for the house.

8595. Then the seller pays 7*d.* on each firkin, and loses three pounds?—Yes.

8596. Is there any lump butter sold?—It is sold about the streets and in the houses. I wish to say, that under the former Act I branded the casks, and there was a fine of 10*s.* upon any cooper exposing them for sale before they were branded, under the 52nd George III.; and a penalty of 10*s.* for selling butter not properly branded; and 20*s.* fine for selling out of the market-place. They were all brought to market, and the fees were the same then as now. When the Act was repealed, and I got the crane, I thought I could improve the market by taking great pains in seeing how the casks were branded, and keeping them a proper size, for if they are too large they hold too much butter; and as the merchant will not pay for any thing over seventy pounds, the farmer loses whatever is over that; and some persons have ruined themselves by getting the firkins make too large, in order to have them weighty, for they hold too much butter. The casks, too, are very often made of bad timber, which ruins the butter. If they were properly made and branded, our butter could meet the Dutch butter, but the Dutch make their casks quite superior to ours.

BANBRIDGE, *8th January*, 1853.

606. Mr. Stewart Craig.

8597. Do you consider that the quality of the butter has deteriorated since the repeal of the Act?—Very much deteriorated; it is not near so good.

8598. Would you be in favour of having a general law, requiring all butter to be inspected and weighed by a sworn inspector and weighmaster, before sale, in a public market?—I would be very much in favour of it, at a reasonable charge, and it would be a very great improvement to the country; for the people will not strive to have their casks as they should be unless they are forced by law.

8599. Would it not be better to have the butter inspected and qualified by a public officer, who would be sworn?—I think it would be much better. A few years ago all the Belfast merchants, and the people about here, signed a declaration that they would give the preference to any firkins branded by me, and still the people never brought more than about half a dozen to me.

8600. What did you charge for branding?—One penny each.

8601. Do you find that the firkins at present are generally weighed lighter than they turn out to be?—Yes, we scarcely try any that are not wrong; but, certainly, these are suspected firkins. I have known firkins to weigh seventeen, eighteen, or nineteen pounds, which were branded fourteen pounds.

8602. Does it not act very much against the poor man that nothing over seventy pounds is paid for?—Yes; but if the firkins were properly made they would not hold over seventy pounds.

8603. Would a person get the same for his butter if the firkin were too large, and were not filled?—I think not. Some years after I got the office, the name of this town was raised so much that the butter was mentioned in the English market as Banbridge butter; and the Newry people ship their best butter under the name of Banbridge even to this day.

8604. Is there any butter sold here by lump, not by weight?—There is one man who buys firkins by the lump. There will never be any improvement in the butter of this country until something is done about the firkins.

8605. Would you be in favour of making it compulsory to have the butter tried by a public inspector?—I would.

8606. Is two pounds the only deduction you make for tret?—That is all, although they charge three pounds in all the towns round; but we go by Belfast.

8607. Is there an inspector of weights and measures in this district?—Not at present. There has been no inspection since the former inspector died, a year ago.

8608. What is your system of weighing hay and straw?—With seven pound weights, and deducting the actual tare of the cart.

8609. Would you be in favour of weighing all agricultural produce to the pound, standing beam, and abolishing all deductions?—I would; and the farmers would like it very much.

8610. Would you be in favour of an assimilation of weights and measures all over the country?—Most certainly.

8611. And having all agricultural produce weighed at the public scales by sworn weighmasters?—Decidedly.

8612. Have you ever heard of frauds practised in private weighing?—I have, of frauds in pork, some twelve or fourteen years since, but not later—except trifling things which people talk about.

8613. Do you buy here by the hundred-weight?—By hundreds-weight, quarters, and pounds; but odd pounds are paid for by the stone.

8614. Are they paid for at the same rate as the hundred-weight?—They are until they come down to seven pounds, and from that they are paid for at the next lowest even price.

8615. Is pork paid for in the same way?—They pay for odd pounds from thirty pounds down, as near as they can go to the price.

8616. If Government applied to you, could you send yearly or monthly returns of the average quantity sold here, and the prices?—I could, from this time, if required; but not at present. I do not now keep an account of the tares of the sacks, for a great many of them never come back to me to be tared.

607. Mr. Samuel Hill.

Mr. *Samuel Hill* examined.

8617. Where do you reside?—In Banbridge.

8618. Are you in the corn trade?—I am, in the wheat trade.

8619. Where do you buy?—At my mill, or in the public market.

8620. Do you weigh at the mill?—I do.

8621. What is your system of weighing?—Standing beam, and two pounds off each draught.

8622. Is that the system generally adopted here?—I think it is.

8623. Are you the only person who buys out of the market?—I think so.

8624. Do you deduct the actual weight of the empty sack?—I do.

8625. Do you pay for odd pounds at the same price as the hundred-weight?—Yes, to the $\frac{1}{2}d$.

8626. Do you make any charge for weighing or porterage?—None.

8627. Have you established a butter-market?—Yes, for more than thirty years, by the authority of the patentee.

607.
Mr. Samuel Hill.

8628. He appoints the weighmaster?—Yes.
8629. Do you pay any thing for the right?—No.
8630. What do you charge?—One penny a firkin.
8631. Is it compulsory to use your market?—It is not; a great deal of butter is sold out of the market. I have also a meat market, for which I receive so much for sheds; but it has dwindled down so that it is hardly worth keeping.
8632. Would you be in favour of having all agricultural produce weighed in a public market?—I think it would be a very judicious plan for farmer and trader.
8633. Would there be any possibility of obtaining the proper statistics of the country at present?—I should think not.
8634. Do you think the farmers would object to pay a small charge, barely sufficient for the support of such a market?—They might in some instances, but, as a body, I think they would be satisfied to do so.
8635. Would you be in favour of weighing standing beam, to the pound, and abolishing all deductions?—I think it would be a very good plan; but sometimes the farmer brings in his corn in a very bad condition.
8636. You could pay accordingly?—I should think a general uniform system would be the best, making it compulsory for the farmer and the purchaser to weigh at the public crane. I, for my own part, would just as soon have it.
8637. Would you be in favour of an assimilation of weights and measures?—I would, certainly.
8638. What would you think the best system?—I think by the hundred-weight.
8639. Would not by the stone be more simple?—It would make no difference.
8640. Would it not be very desirable to obtain the proper statistics of the country?—I should think it would.
8641. Would you be in favour of the markets all over the country beginning and closing at a certain hour?—I think it would be a very good plan, and would give the purchasers fair play in the market.
8642. Do you consider the system of weighing in private stores objectionable?—In many instances it is.
8643. As a merchant, you would not object to buy in a general market?—I would not.
8644. You would not consider it a restriction upon trade?—Quite the contrary. It would be a great advantage to have an inspector appointed to examine the grain and detect fraud. Very often the farmers are in the habit of putting up the grain.
8645. Would it not be an advantage to allow the head weighmaster to be a person to arbitrate between buyer and seller, in cases of dispute, with an appeal to the magistrates, if necessary?—Certainly; not to leave it altogether to the purchaser.
8646. Is there much corn sent in here fraudulently packed?—Wheat coming here is very often fraudulently packed. I recollect also, some years ago, a man putting an old spade in the bottom of a firkin of butter.
8647. Would it not be an advantage to have heavy penalties for fraud upon the part either of the buyer or the seller, and have them recoverable in a summary way?—It would be a great advantage.

608.
Mr. Frazer Morton.

Mr. *Frazer Morton* examined.

8648. What is your occupation?—I buy pork, butter, and eggs.
8649. Do you buy in the market?—Sometimes in the market, and sometimes in my own stores.
8650. Do you live in Banbridge?—I do.
8651. Do you make the reductions mentioned on pork?—Just the same.
8652. Would you be in favour of a general market where all agricultural produce should be sold and weighed?—Most decidedly; I would think it a very great improvement.
8653. You do not consider that such a market would be a restriction upon trade?—Certainly not.
8654. If it were a general rule, would you also be in favour of weighing to the pound?—I would,
8655. And abolishing all deductions?—Yes, provided it were upon an uniform system, which would place us all upon the same level.
8656. Have you ever heard of frauds practised in private weighing?—I have.
8657. Is there any check upon a person weighing in private?—None, unless the farmer has his own weights.
8658. Does not the honest trader often suffer very much?—He does; and that is just the very reason why I should wish to see some improvement made. Any man who is fraudulent can undersell the man who buys fairly.
8659. Of course you would have the charge at such a market nothing more than would be sufficient to support it?—Just so. As to the deduction of eleven pounds on pork, it does not make the least matter.
8660. Does it not keep up a fictitious price?—Of course it does; but the farmers understand it quite well.
8661. In the butter trade, would you be in favour of having all butter coming within the limits of the market obliged to go there and be weighed and inspected previous to sale?—Yes; it would be a very good system; although in this market, the county is so small, it would not make very much difference.
8662. Would you, in every instance, have the inspector sworn?—I would.

BANBRIDGE. 8th January, 1853.

608. Mr. Frazer Morton.

8663. Would it not be very desirable to have a means, in such markets, of obtaining the proper statistics of the country?—Certainly.

8664. Would you be in favour of the markets opening and closing at a certain hour?—Certainly of commencing; as to closing, I do not think it would be of very great importance. In a very large market we could not get through business so quickly.

8665. How often do such large markets occur in the year?—Perhaps a dozen times. In the latter part of the summer is the principal season for butter; in the depth of winter, of course, for pork.

8666. But suppose sufficient time were given—which, of course, should be settled in each market by general consent—would you not be in favour of the principle?—I certainly would.

8667. Would you be in favour of having all firkins tared and branded by the sworn inspector before sale?—Yes; I think such a system is particularly wanted at the present time. One article it would be very difficult to arrange in that way, that is, lump butter, which is brought by the farmers without any covering.

8668. Of course it could not be inspected by the public inspector; but would you not have it sold in the public market?—It would be better, if it did not disfigure the butter.

8669. It would not be more disfigured in the public market than in your own store?—Yes, for each party would not have such a quantity to handle as one weighmaster.

8670. But there would be a sufficient number of weighmasters?—If it could be arranged I would have no objection whatever; as a principle, I am in favour of it.

609. Mr. John Dixon.

Mr. *John Dixon* examined.

8671. Do you reside in Banbridge?—I do.

8672. Do you buy corn?—I buy only oats.

8673. Do you buy much in the public market?—Nearly all; I buy some at the mill.

8674. Do you make any charge for weighing or porterage?—None.

8675. Do you weigh upon the same system as that used in the public market?—Just the same.

8676. Is that the general system?—It is, all through the country.

8677. Would you be in favour of a general market such as we have heard described?—It is quite the proper way.

8678. Do you consider it would be any restriction upon the honest trader?—I think it would do him a great deal of good.

8679. Do you think it would be a restriction upon the dishonest trader?—I think it would; and it would be a great advantage to me.

8680. Would you be in favour of an assimilation of weights and measures?—I would.

8681. Would you have it by hundreds-weight, quarters, and pounds?—Yes.

8682. Would that be more convenient than by stones?—Certainly, as long as our books are made up by hundreds-weight, quarters, and pounds.

8683. But if the whole system were open to your choice, what would you think the simplest plan?—I think tons, hundreds-weight, quarters, and pounds.

8684. Would you abolish all barrels?—Decidedly.

8685. Why do you object to stones?—I think it would make calculation very difficult.

8686. Of course you would have the accounts of the public market shown and audited?—Most certainly.

8687. If the revenue were more than would support the market, would you be in favour of reducing the charge?—I certainly would.

8688. Would you be in favour of abolishing all deductions?—Decidedly, so as to put us all upon the same level.

8689. Would you be in favour of the markets beginning and closing at a certain hour?—I would be in favour of its opening at a certain hour, but there would be some difficulty about the closing. Suppose a farmer was not able to come in until after the hour, what would you do with him?

8690. It would be his own fault, and the system would soon make him punctual. To assist a few irregular farmers, would it not be a bad thing to keep the market open all day?—There would be some little difficulty about it.

8691. Would it not be desirable to have the proper statistics of the country?—It would be of great use.

8692. All valuations are supposed to be founded upon the average price of corn; and the rentcharge has not been settled for many years here, in consequence of the impossibility of taking an average?—Yes, that is the case.

8693. Would you have heavy penalties recoverable, in a summary way, before the nearest magistrate, for fraud upon the part either of the buyer or seller?—Certainly; we would need it greatly in the corn trade; we are very much imposed upon sometimes.

8694. Would you not have the person at the head of the market the public prosecutor?—Yes, it would save a great deal of trouble. I can give you a case in point: last market day I bought some oats, which were quite bad, and not to be unpopular, I took very little of the price off; and the result was, that I suffered a great loss.

8695. If the charges at the public market were only sufficient to support it, do you think the farmers would object to pay a small charge?—I should think they would not.

BANBRIDGE,
8th January, 1853.

Mr. *Samuel Russell* examined.

610.
Mr. Samuel Russell.

8696. Do you reside in Banbridge?—I do.

8697. Do you generally concur in the suggestions which we have heard?—I do, with the exception that it would not be easy to compel the farmer to be in the market at a certain hour; if the weather were bad it might be impossible for him to be there in time.

8698. With that exception, do you generally concur in the opinions expressed by Mr. Dixon?—I do.

8699. And you would not object to buy in such a market as has been described?—Certainly not.

Mr. *Samuel Strong* examined.

611.
Mr. Samuel Strong.

8700. Where do you reside?—Within two miles of the town.

8701. What is your occupation?—I farm about sixty-two acres of land.

8702. Do you sell in the market?—Yes; corn, pork and butter, and hay; we cannot get meal sold when we bring it in, for there is no market here. It would be very well to have a meal market established, for meal is not sold at present in the market, it goes through the town, and when the farmers come in they have no market.

8703. Would you be in favour of a general market, such as has been described?—I would.

8704. Would you, as a farmer, object to pay a very small charge for such a market?—I would not; I would feel that it was an advantage to the farmers, for they would be sure they were getting justice.

8705. Would you be in favour of having an uniform system of weighing, and abolishing all deductions?—I would, and weigh by hundreds-weight, quarters, stones, and pounds.

8706. Would you be in favour of having the market begin and close at a certain hour?—Decidedly; the market opens here at a certain hour; I would not be against closing at a certain hour; but, as has been remarked, upon a wet or a frosty morning, it might throw some inconvenience in the way of the farmer.

8707. Would it not be very desirable to get proper statistical returns of the quantity, and average prices of each market day?—Yes, if it were not any extra expense.

8708. Would you be in favour of having penalties recoverable, in a summary way, for frauds, either upon the part of the buyer or the seller?—Most certainly.

8709. Would you think it a good plan to have the officer at the head of the market the person to prosecute?—Yes; it would take the blame off both the buyer and the seller.

8710. Would it not be well to have a sworn inspector in the pork and butter markets?—I do not know how it would work; in the case of butter, I do not think it would do at all; a man might mark a firkin of butter second, which the farmer might have an opportunity of selling for first.

8711. But if you have the best inspector you can get, why not trust to him as well as to the buyer?—If you go to two or three buyers and bargain with them, you can make a good bargain, but if there be one man appointed, he can mark your firkin second or third, and there is no remedy.

8712. Suppose he were an honest and competent man, would he not be a fairer person to try it than a buyer?—But we have more than one buyer; we have two or three.

8713. Suppose three or four persons bore your butter, and do not buy it, will not that be an injury to it?—Some of them would certainly buy it.

8714. As a general rule, would you have no inspection of butter?—I do not speak of a general rule; but it is a very different thing in a small town like this.

8715. I cannot see why, with a well-regulated market, this should not be a large butter market.—I wish to say that I would be quite in favour of having the casks branded before being sold; it would be much better than stripping the casks.

8716 Would you think an inspector of pork desirable?—I would.

8717. Did you ever hear of persons scoring pork, and then declaring that it was measly, and wanting to cut it down in price?—I did.

8718. Would you be in favour of having the person at the head of the market empowered to decide disputes between the buyer and the seller?—I think it would be a great advantage.

Mr. *John Browne* examined.

612.
Mr. John Browne.

8719. Where do you reside?—About a mile and a-half from Banbridge.

8720. Are you a farmer?—I am.

8721. Do you concur in the opinions generally expressed?—I do.

8722. As a farmer, would you object to go to a proper market, and pay a small charge?—I would not.

8723. Do you think the farmers generally would object?—I think they would not.

8724. Would you be in favour of an uniform system of selling and weighing over the whole country?—I would.

8725. Abolishing all deductions and weighing to the pound, standing beam?—Exactly.

8726. Would you approve of having a person at the head of each market, to settle any disputes which might arise?—I think it would be a very fair plan.

8727. You would not leave such questions entirely to the decision of the buyer?—Most certainly not.

8728. You would have the charge in such a market nothing more than would be sufficient to support it respectably?—Certainly.

BANBRIDGE, 8th January, 1853.

612. Mr. John Browne.

8729. Would you approve of having a public butter inspector?—No; I think persons can inspect the butter themselves.

8730. Have you ever heard of frauds practised in the system of weighing in the private stores?—Yes; there is a great deal of fraud in the weighing of lump butter.

8731. Did you ever know any cases of false weights?—I never did.

613. B. Plumer, esq.

Brudenell Plumer, esq., examined.

8732. Are you Sub-Inspector of Constabulary for this district?—I am.

8733. Do you inspect the weights and measures?—About a year ago, the inspector of weights and measures died, and the Grand Jury refused to appoint one in his place, so they appointed me as superintendent of weights and measures for the district, and sent me the standard weights. I wrote to know if there was any allowance for the people in adjusting the weights, for it would be a hardship to come upon them at once, without giving them an opportunity; the answer I got was, that the constabulary had nothing to do with adjusting the weights. I then asked if the people would be allowed to see the standard weights in the police barracks, and the answer I got was, that they might be brought to the court-house, and an opportunity afforded once a month or so. There were some standard weights sent to four or five of my out-stations, and the constabulary were directed to perform the duties; I was merely to have a standard weight to compare the constabulary weights with. Then a communication came down, asking whether the Sub-Inspector was appointed for the county, or only for a district: I answered, only for a district; and then came down a minute to say that my appointment over the weights and measures was not legal, as there should be only an officer for the entire county. I wrote to know if the constabulary under me might go on with the duties; and the reply was, that there was no reason to the contrary. I have nothing more to do with the matter.

8734. Do you think the duties will be satisfactorily performed by the police?—I should think so, because they will be on the spot, and can go in unexpectedly, which the inspectors could not do.

614. The Marquess of Downshire.

The *Marquess of Downshire* examined.

8735. Do you generally concur in the opinions expressed regarding a public market?—I do.

8736. Would you be in favour of compelling the proprietors of markets to give proper accommodation; and then protecting him in his rights, by obliging all parties to make use of the markets?—I would. In my own property here, and in the Queen's County and Wicklow, I give every facility, and do every thing to protect the farmer from frauds which, in the north, are most atrocious.

8737. Do you think, if it were left optional to weigh in private, that the market would become a dead letter?—I am not a practical man enough to say; but I should think so.

8738. Would you have the charge in such a market only sufficient to pay its expenses?—Yes; and I, for one, as a buyer, would lose sooner than the farmers should not have justice done them. I would be ready to pay out of my own pocket for that purpose.

8739. As a general rule, you would not allow proprietors to make money by the transaction?—Certainly not.

8740. You would not allow the market to become a source of revenue, either for a private proprietor or a public body?—Certainly not.

8741. Would you be in favour of an assimilation of weights and measures all over the country?—I would; and in England also; but, of course, your inquiry does not extend so far.

8742. What would you suggest as the best uniform mode?—I would be in favour of the northern plan, tons, hundreds-weight, and quarters; but whatever was generally agreed upon should be adopted as a matter of course.

8743. Would you be in favour of weighing standing beam to the pound, and abolishing all deductions?—I would.

8744. You think the present a bad system for the farmers?—I do.

8745. Does it not keep up a fictitious price?—I suppose it does.

8746. How many fairs are held here in the year?—Three old fairs and monthly fairs.

8747. Are they held in the public streets?—They are.

8748. Is that considered inconvenient?—Not, except to travellers, I think.

8749. As a general principle, would you be in favour of removing the fairs into enclosed fair-greens?—Indeed I would.

8750. And have a very small charge, sufficient to pay the expense, on all cattle entering, so as to get rid of the old system of swearing?—Certainly.

8751. Would it not be well worth the cost to the farmers to pay a halfpenny or a penny, and get a good standing, where their cattle could be seen?—It would; and, as a seller, I would readily submit to it.

8752. Do you think the farmers generally would object to the payment of such a charge?—I could not undertake to say, but I should hope not.

8753. Of course you would not allow a proprietor to levy tolls for fairs held upon the Queen's highway, where he gives no value?—We have not many of these jobs in the north, I think.

8754. Have you any thing to state in reference to the inspection of weights and measures?—There is no inspector at present. Some few weeks ago I wrote to Lord Naas, and told

him that there were great complaints of frauds in weights, and that the county had not been examined for years, and something ought to be done. He told me nothing could be done on account of Lord John Russell's Statute, by which an inspector had not the power of adjusting. So far as I know, there has not been a weight inspected in this district since the former inspector's death.

BANBRIDGE, 8th *January*, 1853.

614. The Marquess of Downshire.

8755. Do you think there are many frauds?—I do not know that.

Joseph Sheppard examined.

615. Joseph Sheppard.

8756. Where do you reside?—Within a mile of Banbridge.

8757. Are you a farmer?—Yes; I farm about nineteen or twenty acres of land.

8758. Do you generally concur in the opinions we have heard expressed here to-day?—I differ as regards fresh butter. There are a great many persons who bring in fresh butter here in the morning by sunrise, and have to take home the breakfast to their children; and if ten o'clock were the hour when the market commenced, it would be very hard to compel those person to wait until that hour. I think firkin butter has a right to be in the public market, except upon odd days.

8759. If you want a market every day, you could get it, but once you allow persons to sell upon other days, you will have all the produce of the country coming in. You could have the hours for beginning very early.—It should be as early as six in the morning.

8760. Let it be so, if convenient; the buyers and sellers could meet, and fix five o'clock in the morning if they thought it desirable.—In regard to the market closing at a certain hour, I do not think it could be well managed. Persons in bad weather, or on a frosty road, might be struggling, and not able to get in until the market had closed.

8761. How long do the markets last here?—They are generally over before four o'clock, but they are sometimes later.

8762. Would not from nine o'clock until two o'clock, give sufficient time?—It might; but many persons sell by sample and bring it in at night. There is another point, if no corn could stop at the mills in the country, it would be very unfair.

8763. There is nothing to prevent a man from selling at the mills in the country; but I think, you, as a seller, would rather take your chance in the public market than with one man.—I think there is no difference if you are weighing with an honest man.

8764. There is no Act of Parliament which can make men honest; a man, besides, may be perfectly honest, and have a rogue for a weighmaster.—Most of the country people here have means of weighing of their own.

8765. But an Act of Parliament should be for the whole country; and in the south, not one farmer in 200 has any means of weighing.—I would be in favour of having corn, and pork, and salt butter go to the public market.

William Bittle examined.

616. William Brittle.

8766. Do you live in this town?—I do.

8767. What is your occupation?—I am a baker.

8768. How is bread sold here?—The size of the loaf varies according to the price.

8769. Is not that a bad system?—If a person does not think the loaf large enough, he can go to another shop.

8770. Would it not be better to have the price vary, and the loaf remain always the same in size?—I think it would be very difficult; in the first place you must put in the loaf and keep it two or three hours in the oven, but if you weigh it to the pound, it would make a great difference from that which was only baked for an hour.

8771. But the man who underbakes his bread will be soon known, and will not make long by it.—There is one thing with respect to bread, I wish to say; you talk of competition in the market. Now, we have no such thing here as a public market for flour or meal. I should like very much to have an uniformity of weights and measures; I would like to see every thing sold by the stone of fourteen pounds; but I am obliged to sell meal by the score, and flour by the stone. Now, when I came to get my weights adjusted here by the man who is now dead, he would not adjust the five pound weight, which was the fourth of the score, although I was obliged to sell in that way.

8772. He might adjust four pounds and one pound?—He would not adjust four pounds, only three and a-half pounds. It would be a great advantage to all retailers if we had all the weights of the same size.

Account of the Produce sold in Banbridge Market, in the year 1852.

7,000 sacks of oats.	439 sacks of meal.
815 casks of butter.	2,800 carcasses of pork.
4,000 loads of hay, straw, &c., &c.	

Stewart Craig, *Weighmaster.*

Banbridge, County Down, *January* 8, 1853.

Rathfriland, January 10, 1853.

RATHFRILAND, 10*th January*, 1853.

Thomas Scott, esq., examined.

617. Thomas Scott, esq.

8773. Where do you reside?—About a mile and a half from this.

8774. You are a magistrate?—I am.

8775. You have also been appointed seneschal?—I have not yet got the authority, but I am partly appointed.

RATHFRILAND, 10th January, 1853.

617.

Thomas Scott, esq.

8776. You have not acted as seneschal yet?—No.

8777. Was there a seneschal before?—There was.

8778. Did he exercise the duties of the office?—He did.

8779. Under what patent or authority are the markets held here?—They are held under a patent granted upon the 28th of June, 1681, in the thirty-third year of the reign of Charles II.

8780. To whom?—To William Hawkins.

8781. Who is the present proprietor?—General Meade's trustees at present; the Meade family were the representatives of the original patentee.

8782. What does the patent grant?—The power to appoint a seneschal, and to hold a market weekly upon every Wednesday.

8783. How many fairs?—Three fairs in the year; the first on Trinity Wednesday, the second upon the second Wednesday in September, and the third upon the last Wednesday in November, in every year, each to continue for three days. The patent grants one weekly market upon every Wednesday, with full, free, and absolute licence, power, and authority to hold courts of *pie poudre*, and all tolls, perquisites, profits, commodities, emoluments, liberties, freedoms, customs, privileges, and jurisdictions whatsoever to the said fairs and courts belonging, reserving to the crown a yearly rent of 10*s.* sterling, to be paid upon the feasts of Easter and Michaelmas, half-yearly, in equal portions. It also gives the power to appoint a clerk of the market.

8784. How often are the markets now held?—Upon every Wednesday; there is a market upon Wednesday where potatoes and vegetables generally are sold, but Wednesday is the market day.

8785. Are tolls paid at the market?—None whatever.

8786. Were they ever paid?—They were.

8787. When were they abandoned?—When General Meade's agent, Mr. Brush, became seneschal he ceased to collect the tolls.

8788. How long ago is that?—About thirty-five years.

8789. Are the fairs held upon the days mentioned in the patent?—They are held upon the three days named, but they only last one day each. There are five other fairs held in the year—one upon the third Wednesday in January, another on the second Wednesday in February, old style, a third upon the second Wednesday in April, old style, a fourth upon the third Wednesday in July, old style, and the fifth upon the first Wednesday in November.

8790. When were these fairs established?—Three were established before my time—the three old style—the other two within the last few years.

8791. Were they established under any patent or authority?—They were established by the seneschal, Mr. Brush, at the request of a great number of people.

8792. Is there an enclosed market-place?—There is a meal market underneath this court, and a market-house, and butter is sold at the other end of it.

8793. Are there beams and scales?—There are two; there is a potato-market in the open street.

8794. Is there a house?—No.

8795. Are there beams and scales?—Yes, they are erected in the street upon a market-day; there is also a shambles, but latterly the butchers generally sell in their own shops. A great many persons, however, bring in meat from the country, which is sold at the shambles.

8796. Where is the corn sold?—The corn from the neighbourhood is generally brought to Newry. If a cart is passing through this town, and that persons want corn they will go out and bargain for it. I may say there is no corn sold in the town.

8797. Where is the pork sold?—Principally in Newry and Belfast.

8798. Where is flax sold?—This is one of the largest flax markets in the north of Ireland. The flax is sold in the streets and weighed at the stores.

8799. Have you an egg and fowl market?—I suppose the largest in the north of Ireland.

8800. Also in the streets?—Yes, there is one street set apart for the sale of them; there is also a market where live pigs are sold, and which is still a good market, but was larger some years ago.

8801. Where are the fairs held?—In different streets.

8802. No enclosed fair-green?—None.

8803. Has a weighmaster been appointed for the market?—Yes.

8804. By whom?—By General Meade's agent. There is a large market for green crops here, which are weighed in a weigh-bridge—private property—at the other end of the town. They are sometimes weighed in the potato scales when sold by retail.

8805. Is there a sufficient number of beams and scales to weigh all the agricultural produce of the town?—I think there is.

8806. Is the weighmaster sworn under the 4th of Anne, c. 14?—He is not.

8807. Are articles of agricultural produce sold upon other than market days?—On Saturdays, and there are some potatoes sold by retail in small quantities during the week.

8808. Is there an inspector of weights and measures here?—Yes, appointed for the county.

8809. The constabulary do not perform the duties at present?—No; the inspector comes upon a certain day, and it is known generally that he is coming, which allows all parties an opportunity to adjust their weights; and if there is any person disposed to be fraudulent, of course he avails himself of it and takes the light weights out of the place.

8810. Do you consider the holding of fairs in the street an inconvenience?—It is a great nuisance.

8811. Is it inconvenient for buyers and sellers?—Certainly it is.

8812. And a nuisance to respectable inhabitants?—No doubt; windows are broken, and there is danger to life and property. The horse fair is very dangerous to the public at large, besides being injurious to the cattle.

8813. Would you be in favour of having properly-enclosed fair-greens?—I would.

8814. If there were one provided, would parties object to pay something for a good standing?—I do not think they would; and if they knew its importance they would pay it cheerfully.

8815. Would you be in favour of having a public market provided, where all agricultural produce would be sold and weighed under the inspection of sworn weighmasters?—It would be very difficult. In some of the mills adjoining the town there is a kind of grain market.

8816. But as a principle, all over the country, would you be in favour of the general market?—Most decidedly.

8817. Would you be in favour of an assimilation of weights and measures?—Certainly.

8818 Which would you consider weighing by the hundred-weight or by the stone the better plan?—They amount to the same thing; I would be in favour of weighing by the ton, hundred-weight, stone, and pound.

8819. Would you be in favour of abolishing all deductions, such as beamage, and weighing to the pound standing beam?—Most certainly.

8820. Would you approve of having the market begin and end at a certain hour?—In the potato market it might perhaps be inconvenient, but in the flax market it would be a very important advantage. Indeed, in principle, in all the markets it would be better.

8821. Would it not be desirable to oblige the officer in charge of the markets to keep proper accounts, so that they could furnish proper statistics?—It would be very useful to the Government and the country.

8822. Would it not be useful to the trade?—Certainly, it would.

8823. What quantity of flax is sold here in a large market?—At the last market I had sixty tons sold; I think you might say about 130,000 tons a year, for the supply is well kept up throughout the entire year. There are many wealthy farmers here who can afford to keep up their flax until the crop is out. I have known mills to be nearly in full work up to the time when the new flax came in.

8824. Is flax sold here by the stone?—It is sold by the stone of sixteen pounds, which strikes me as being rather of a fraud; then there is a quarter added; it comes in here made up in bundles of sixteen and a quarter pounds.

8825. Will that be passed standing beam?—No; the buyers require down weight.

8826. That will take, perhaps, another quarter?—Not so much, perhaps two ounces; the ticket is made up at so much the sixteen pounds, to avoid the risk of selling it in that way. Wool is also sold by the sixteen pounds.

8827. Is there any charge made upon the flax?—Yes, ½*d.* a stone for storage.

8828. Will buyers charge that if they bring it to their own store?—They will, no matter where they bring it. I believe there are very few purchasers of flax at Rathfriland; they come here and take a store, and require so much storage; but I think the farmer pays ten times the cost.

8829. What might a buyer give for a store?—He may get a store for £7 or £8 a-year.

8830. What is the largest quantity bought by a buyer?—Perhaps 1,700 stone in a day.

8831. If he bought 2,000, he would pay half a year's rent in a day?—He would; there is another great abuse regarding the delivery of the flax. If I sell a man a quantity of flax, say fifty stone, by sample, when it is brought to the store it is all thrown in along with the flax he may have there, and it is all mixed up so that it is impossible to tell which is mine, and then the buyer may say half of it is bad, and the farmer is entirely at his mercy with regard to the sum he may deduct for inferior quality, or whatever he thinks proper to say, is inferior.

8832. Is that frequently done?—Yes; as a magistrate, I can state that complaints of that kind have been frequently made to me.

8833. Do you think there should be, in every market, some public officer who might arbitrate between buyer and seller?—Most certainly.

8834. Are there any other frauds?—Yes; I have known a man buy flax in the market, keep it a considerable time, and then throw it back to the seller late in the day, when the market, in fact, was over; I believe he was a jobber, and thought to make a trifle during the market; and not having succeeded, threw it back to the farmer. That occurred in one instance, but I do not believe it was a solitary one.

8835. Would you have flax carried to the public market, and weighed and sold there; have penalties for fraud practised by the buyer or seller; and pay the farmer for every pound he has?—Certainly.

8836. You would have a competent person to decide disputes between the buyer and seller, subject to an appeal to the magistrate?—Yes; the authority the magistrates now have is useless, as they have only jurisdiction up to £5; £5 worth of flax would be a very small quantity, so that the parties can do just as they please.

8837. Would it not be a better plan, instead of having £5 the value of the article, make it £5, the amount of the fraud?—That is fully my opinion.

8838. Is there much firkin butter sold here?—There is.

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Thomas Scott, esq.

8839. Is it sold by weight?—Yes.

8840. Where?—It is not confined to any market; more than half of it is sold in the stores, and inspected and weighed there.

8841. It is not compulsory to use the market?—It is not.

8842. What is the system of selling butter?—They pay for nothing over seventy pounds; if it is under that they will not pay so much; for it is my impression, that if the firkin is not full they will not pay for first quality.

8843. What deductions and charges are made?—They deduct five pounds for tret, and 1*d.* for carriage.

8844. Do they weigh standing beam?—No; they require down weight.

8845. Do they strip the firkin?—If they have any doubt they strip it, if not they take what is branded on it.

8846. What quantity of butter is sold here?—I could not tell. A remark which I have to make regarding butter, is equally applicable to flax, that when the farmers bring in the butter they are left entirely at the option of the buyers to score it, and make what reduction they like upon it. I do not assert that they are frauds. I believe there are some; but at all events the sellers are left entirely at the mercy of the buyers. Then I think there is an understanding, that if a man offers his butter to one buyer, and then goes to another, he will not get as good a price for it.

8847. Is there much lump butter sold here?—There is a great deal sold here, which I think is greatly produced by these frauds. The farmers bring in the lump butter because they know better what they are doing with it.

8848. Is it sold at the stores?—It is sold at the shops.

8849. Do the buyers weigh and inspect, themselves?—They do.

8850. Do they make any charge or deductions?—No charge that I have heard of. I understand they take one pound off the score. It is but fair to say that the farmers are in some cases guilty of fraud, for they have been known to come in with a stone put into the butter, or a quantity of salt put in it. However, it is impossible to escape detection now, for the piercer is put in, and is certain to find it out.

8851. Are there any frauds in the pork market?—Gross frauds. In some cases the farmer sells his pig to a man who puts it into a yard, and in the evening pronounces it to be measly, and then the seller is left entirely at the mercy of the buyer what reduction he will make, or else he may take home his pig again, although, perhaps, he wants his rent the very next day. That is frequently done, and complaints are made to me, but I have no jurisdiction to act. I believe there are pig-jobbers connected with one another, and invariably, when a fight takes place about a pig, the jobbers muster very strong, and they are far more ready to get together than the farmers; and, if one man reject a pig, it will not be sold at the original value or the actual value. I think the same thing occurs with reference to cows. A man will come and buy a cow, and leave her with the owner until evening, saying he will pay for her presently; she is put into a yard, and in the evening he refuses to take her, and perhaps some neighbour, who is very accommodating, will come up and offer to buy her, and the cow will be got for 6*s.* or 10*s.* cheaper than she was originally sold for. There is another thing which I think is the grossest of all: glandered horses are exposed here for sale, which are ruinous to the fairs and markets, and dangerous to the inhabitants. I have known in this neighbourhood several lives lost by glanders. I have a report from doctors in this neighbourhood of parties having died of glanders. I saw a horse in Banbridge which was actually falling down with disease, and he was put into the very stable with other men's horses. I knew of a man bringing a horse into Ballynahinch and putting him into the stables, and he was pronounced next day to be bad in the glanders. A man and woman near this place, who had a glandered horse, died of a disease which I understand was the glanders. There is another great cause of complaint here with reference to the muslin sewers. There are agents here who give out muslin to be wrought by the poor. There are perhaps from 3,000 to 5,000 persons employed at this work, and they get out pieces at a certain sum. When the piece is brought back again the agent invariably deducts a certain sum. As a general rule I think I may say that in no case do they give what they have promised. I have acted here for ten years as a magistrate, and never saw such gross frauds as are committed by these muslin agents. I remember an agent who was fined £1 or £2 or £3, turning round and declaring, "2*d.* a piece off each of them will soon make up that." I am sure there are exceptions, but as a general rule such is the fact. There are very good sewers, of course, whom it is their advantage to keep, and who escape a fine; but as a general rule there is a vast majority who are fined in trifling sums, and never complain until the fines come to 4*d.* or 5*d.*, then they will summon the parties; and, as the law now stands, if the party summoned says he will leave it to arbitration, the magistrates have no jurisdiction. The girls generally come from a distance, and can get no one to arbitrate, and generally two agents will be appointed, if possible, to arbitrate, and it almost invariably goes against the poor girl. If some of these unfortunate girls are prevented by sickness, or any other cause, from bringing the case on, the agent deducts the cost of the summons and the service, even when they themselves have served it. However, we have stopped that latterly.

8852. I suppose if the girls summon very often they will be likely to get no more work?—Just so. Besides, in most cases, it would not be worth while losing a whole day about the matter, and they would prefer submitting to a trifling fine. Another practice is this: the agent will say to the woman who has come in, "I will take the work, and I will not fine you until the work is sent to Glasgow." Then he comes back, with perhaps a sham

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Thomas Scott, esq.

account, and imposes the entire of the fine deducted by an irresponsible party. A vast number of people in this neighbourhood are supported by their daughters and wives working in this way, and it is a most important point that justice should be done to those people.

8853. Do you think the agents pocket this money themselves, or do the employers countenance this practice?—Some of them probably do not pocket it themselves, but they all generally get rich, I know. I remember a piece of work being brought here upon an occasion of the kind; the agent swore that it was not worth its value when it went out, which was 3*s*. "Well," said I, "I will give you 5*s*. for it." I gave it to him, and it was found afterwards to be first-rate work.

8854. What class of men are these agents?—Generally the very poorest class in the neighbourhood. We endeavoured, as a remedy, to require the agents to give in a weekly return of the fines which they imposed. Gross frauds are also committed in regard to meal. It is very difficult to get pure oatmeal here—it is mixed with Indian meal, or perhaps rye. The poor people come here to buy meal, and they get it mixed with barley meal. The Act of Parliament gives no power to magistrates to fine in such a case. I have been speaking to several respectable millers, who would not grind barley and oatmeal together, and the consequence is that they will not get much to grind.

618.

Mr. Thomas Wilson.

Mr. *Thomas Wilson* examined.

8855. Are you inspector of weights and measures for this district?—I am.

8856. How often do you inspect?—Four times a year.

8857. Do you detect many frauds?—Not near so many now as formerly.

8858. How long have you been inspector?—I was appointed in 1836.

8859. Do parties in the town know when you are coming?—We are bound to come one day without giving notice, and the other days giving notice. This day I came without notice, and I have been over half the town already, and I have only found two small weights, one of them a new weight, which has never been stamped, and the other an old weight.

8860. Have you frequently had prosecutions?—I think I had about thirty-one prosecutions before the last assizes since the preceding assizes.

8861. Are you continued upon the same footing by the Grand Jury under the new Act?—The same, so far.

8862. Do you know whether they purpose making any change?—At the last assizes, at Armagh, there was some talk about it, and it was referred to the decision of the judge; but there was no return made yet.

8863. The constabulary have not acted?—No.

8864. Have you ever detected frauds among respectable parties in this neighbourhood?—Yes; weights deficient.

8865. Do you think they were fraudulent?—Yes, I do.

8866. Did you ever find beams fraudulent?—I did; but principally among the lower classes.

8867. Did you ever find them among the respectable merchants?—They generally use wooden scales for the weights, and a tin bucket, and in some cases I have seized them, and summoned the parties.

8868. Did you ever find one side of the beam longer than the other?—Not very often.

619.

Mr. Nicholas Carr.

Mr. *Nicholas Carr* examined.

8869. Where do you reside?—At Rathfriland.

8870. What is your occupation?—I am weighmaster in the market.

8871. By whom appointed?—The late Mr. Bushe, agent to General Meade.

8872. How many years have you held the office?—About twenty-three.

8873. What are your duties?—I superintend the weighing of butter, meal, and potatoes.

8874. What are your charges?—One penny for a hundred-weight, and 1½*d*. up to three hundred-weight. 2*d*. over that; but when a jobber comes, we only charge him 1½*d*. for any sack.

8875. What for butter?—Two pence a firkin; the merchants pay it out of the 1*s*.; in some cases the merchants do not charge it at all by agreement.

8876. Do you weigh lumps?—No.

8877. Any charge for porterage?—No.

8878. What charge for potatoes?—Three pence for a large cart; and from that down, 1½*d*.

8879. Do you weigh the potatoes?—No; we lend the beams and scales, and make the charge for them.

8880. Is there any other charge?—No.

8881. Are turnips weighed?—Yes; the same as potatoes.

8882. What staff have you employed?—I have two daughters to assist; one stands at the potato market to get the money for the use of the scales, and the other is at the meal-market, and weighs and keeps the money; I am in the meal market until twelve o'clock, and then I leave it and go to the butter market; the butter market does not begin until twelve o'clock.

8883. Do you give a ticket?—Yes.

8884. And keep a book?—Yes.

8885. Do you give a ticket to every person who sells?—I do; but half the meal is not weighed with me.

8886. Suppose a person lost his ticket, could you give a copy?—I could, out of the book.

8887. Do you deduct the tare?—No; they weigh the sack themselves.

RATHFRILAND, 10th January, 1853.

619. Mr. Nicholas Carr.

8888. You can only tell the gross weight?—Yes.

8889. How do you weigh?—Down weight, to the pound, and nothing taken off but the weight of the sack.

8890. What will bring the scale from standing beam to down weight?—One pound would do it.

8891. Suppose there were one pound standing beam, or half way down, would you throw it out?—Yes.

8892. Does the buyer pay for odd pounds?—He does.

8893. At the same price?—Yes.

8894. How do you weigh butter?—Five pounds are taken off large casks of butter, with one pound down weight.

8895. Do the five pounds lie in the scale?—Yes; on small firkins, under two quarters, only two pounds are taken off.

8896. Does the farmer pay you any thing?—Not to me; the merchant pays it.

8897. Do you deduct the weight of the empty firkin?—I have nothing to do with it.

8898. Do you give a ticket of the weight?—I do.

8899. Do you know how potatoes are weighed?—By stones, down weight. There is not much sold in the market now.

8900. Do they weigh to the pound?—No; nothing less than two pounds.

8901. Do you weigh any oats?—Sometimes; but very little.

8902. How do you weigh oats?—By the hundred-weight.

8903. No beamage?—None at all.

8904. Do you weigh to the pound?—Yes.

8905. Is all the agricultural produce sold in the town weighed by you?—No, indeed; very little.

8906. How often do you get your weights adjusted?—Four times a-year.

8907. Did you ever hear of any complaints with regard to the system of private weighing?—I never did.

8908. Did you ever hear of any complaints of frauds committed at the private stores?—I have heard of them, but I do not know whether they are true or not.

8909. Did persons ever come to you to try the weight?—They did, with flax, sometimes.

8910. Have you ever heard complaints of the weighing of butter?—I think not.

620. Mr. Thomas Parke.

Mr. *Thomas Parke* examined.

8911. Where do you reside?—A short distance from Rathfriland.

8912. Do you buy flax?—I do.

8913. In this market?—Yes.

8914. Do you buy in the streets?—Yes; and weigh in my stores.

8915. Do you buy by the stone?—Yes; by the stone of sixteen and a quarter pounds.

8916. Would you take it standing beam?—Oftentimes we do, when the flax is dry and nice; but if it is damp, we must have it weightier.

8917. Do you make any charge?—One halfpenny a stone.

8918. What is that for?—Storage.

8919. Is it for the rent of a store?—It is a general rule.

8920. Do you give it all for your store?—No.

8921. It is part of the profit?—Well, it is a good deal more than the expense.

8922. Would you be in favour of weighing, standing beam exactly, paying the farmer for what he has, abolishing all deductions, and regulating your prices accordingly?—If it were done in all other towns, I would recommend it very much.

8923. Would you be in favour of the market commencing and closing at a certain hour?—Certainly. We have a bell-man here who rings at ten o'clock each Wednesday morning, and I never bought a stone before.

8924. Have you ever heard complaints of the system of weighing flax at the private stores?—I have heard complaints, but I cannot say of my own knowledge.

8925. Would you be in favour of empowering the officer at the head of the market to decide disputes?—Certainly.

8926. You would not leave the decision entirely to the buyer?—Indeed, I would not.

8927. Are there jobbers in town who buy much?—A good many; but not near so many as at Tandragee or Armagh. It would be a very good thing to have an inspector to look after wet and damp flax.

621. Mr. A. Leather.

Mr. *Andrew Leather* examined.

8928. Do you reside in Rathfriland?—I do.

8929. Do you buy firkin butter?—I do.

8930. Is it bought in the streets?—Yes, and in the houses.

8931. Do you weigh in the market?—Yes.

8932. Do you inspect the butter yourself?—I do.

8933. Do you pay for over seventy pounds?—No.

8934. Would you give the full rate for a firkin not quite filled?—Only last Wednesday, I gave the first price for butter an inch below the groove.

8935. What is the custom of the trade?—That I cannot say. If it were invariably low, of course it would not be so fit for shipping, and therefore it must, of necessity, have to be reduced.

8936. What deduction is made?—Five pounds tret.

8937. What do you charge 1*s.* for?—It is called carriage. We pay 2*d.* to the weigh-master, but sometimes we only take 6*d.*, and sometimes nothing. Sometimes we give 6*d.*, sometimes 1*s.* over the price, according to the quality of the butter.

621.
Mr. A. Leather.

8938. But the custom of the market is to charge 1*s.*?—It is; 2*d.* goes to the weigh-master, so much to the cooper, so much for storage and carriage.

8939. Do you deduct the tare marked on the firkins?—I make firkins myself.

8940. When a firkin weighs twelve pounds fresh, what do you brand it?—Twelve pounds.

8941. Do you allow nothing for soakage?—Nothing. Every cooper does not allow it, and many of them make the firkins heavier than they are branded. I bought a firkin at Banbridge one day, and sent it to Newry to be stripped, and it was found to weigh nineteen pounds, although the brand upon it was fourteen pounds.

8942. Would you be in favour of having all the firkins weighed and branded, and inspected by a sworn inspector in the public market before sale?—I would be in favour of having it weighed and branded, but I do not know whether one inspector would do here in the interior of the country, although he might in Newry or Belfast.

8943. Why?—I buy sometimes upon commission, and sometimes for myself, and if there were a sworn inspector here, I do not see how I could do that.

8944. The only difference would be, that instead of having the trouble of inspecting yourself, you would buy in the public market under the qualification of a sworn inspector?—Well, perhaps it might be better

8945. Would you be in favour of abolishing all deductions, weighing to the pound, standing beam?—I would be very much in favour of it.

8946. You would not object to buy in a public market?—Certainly not.

8947. Would you be in favour of having the market begin at a certain hour?—Yes; I think it would be better. It would give all parties opportunity and justice, and one could not begin before another.

Mr. *James M'Condella* examined.

622.
Mr. J. M'Condella.

8948. Where do you reside?—About a mile from town.

8949. What is your occupation?—I am a farmer.

8950. Do you sell flax?—I do, and butter sometimes.

8951. Do you think the present system of weighing and inspecting fair?—Not in all cases, as regards flax. If a man brings in a quantity of flax made up in bundles of sixteen and a quarter pounds, and weighed standing beam, they will be thrown aside, and not considered weight unless they weigh down, which will take a quarter of a pound more.

8952. Is that a regular rule?—Yes, and it is the same with butter. There are five pounds taken off every firkin, and the farmers generally wish the cooper to make the firkin heavy to meet it; that is the reason of the frauds in that way.

8953. Would you be in favour of a general market, obliging all produce to be sold and weighed there?—I would.

8954. Would you, as a farmer, object to pay a small charge to support such a market?—I would not.

8955. Would you be in favour of weighing standing beam, to the pound, and abolishing all deductions?—Most certainly.

8956. Do not these deductions keep up a fictitious price?—Of course they do.

8957. Would you prefer weighing in the public market to the private store?—I would, indeed.

8958. Would you be in favour of buying everywhere by the stone of fourteen pounds?—Yes, I would have some uniform system.

Mr. *David Martin* examined.

623.
Mr. David Martin.

8959. Are you a farmer?—I am.

8960. Do you generally concur in the opinions we have heard?—I do.

8961. Would you be in favour of paying the farmer for every pound he has, and regulating the merchant's price accordingly?—I would.

8962. Would you be in favour of an uniform system of weighing over the whole country?—I would.

8963. And a general market where all produce should be sold?—Decidedly.

8964. Would you have the officer at the head of such a market, empowered to arbitrate in cases of dispute between buyer and seller, subject to an appeal to some higher authority?—I would.

8965. Would you have the market begin at a certain fixed hour, convenient to each town?—Decidedly. I wish to say, I think the merchant ought to pay for odd pounds in proportion to the price of the hundred-weight. It makes a difference of 6*d.* a hundred-weight upon a pig of one hundred and a-half.

James Morton Maclenehan, esq., examined.

624.
J.M.Maclenehan,esq.

8966. You are a magistrate?—I am.

8967. Do you generally concur in the information given to us by Mr. Scott?—I do.

8968. You agree with his suggestions?—I do; and so far as my short experience goes, it confirms my opinion of what he has stated with reference to disputes in the markets, and the improvements he has suggested in that regard.

DOWNPATRICK, 11th January, 1853.

625. David Harold, esq.

DOWNPATRICK, JANUARY 11, 1853.

David Harold, esq., examined.

8969. Are you agent to the property of Mr. Kerr in this town?—I am.

8970. And a magistrate for the county?—Yes.

8971. Under what patent or authority were the markets and fairs here originally established?—Under a patent dated the seventh of August, 1617, in the fifteenth year of the reign of James I.

8972. Granted to whom?—To Thomas Lord Cromwell.

8973. How did it come to Mr. Kerr?—By purchase.

8974. Is Mr. Kerr the representative of the original patentee?—He is. The patent was renewed by Charles II., granting a market on every Saturday, and two fairs, one upon the 17th of March, St. Patrick's day, and two days after, and one upon St. Luke's day, the 29th October, and a day after.

8975. Are those the days upon which the fairs and markets are held at present?—The market is held twice a-week, upon Tuesdays and Saturdays.

8976. How many fairs?—There is a monthly fair on the first Saturday in every month.

8977. Was there any patent for the Tuesday market, or for the monthly fairs?—No; they were held by prescription, or by general consent.

8978. Are tolls paid now at the markets or fairs?—At the time the four fairs were held during the year, and the weekly market, tolls were levied; they were let to a man named James Dugan, at a yearly rent of £56; but they were discontinued in January, 1846, when the monthly markets were established, because they were considered oppressive; and the markets have, since then, been free.

8979. Is there any enclosed market-place?—Not enclosed.

8980. What market accommodation have you?—A grain market, held upon the fair-green, with a market-house; a pork and butter market, a short distance from the grain market, with a house. There is a weigh-bridge attached to the grain market.

8981. Have you a fair-green?—Yes.

8982. Is it enclosed?—It is not.

8983. Is it a large green?—It extends over several acres.

8984. Is the sale of all agricultural produce confined to the market-place?—No; a good deal is sold in the private stores.

8985. And weighed there?—Yes.

8986. What number of beams and scales have you at present?—Two beams and scales for the grain market, and a weigh-bridge; one beam and scales for the pork and butter market. There are four beams and scales provided for the potato market, which is held in the open streets, and the vegetable market. There is also a meal market held in the street, but with a shed and a crane. There is an old market-house given free, where parties retail meal, and in the under part of it flax and linen are sold.

8987. How many weighmasters are there?—Three; one for grain, another for pork, butter, and oatmeal, and a third for potatoes.

8988. Are the weighmasters sworn under the 4th of Anne, c. 14?—They are.

8989. Are there beams and scales sufficient to weigh all the agricultural produce coming into the town?—There are.

8990. What are the charges for weighing, or standings?—Each stall, or standing for any commodity, except potatoes, 1*d.*; each stall for the sale of potatoes, in cart-loads, 3*d.*; when only one or more sacks or bags, each 1*d.*; including the use of the public scales and weights.

8991. I suppose the scales are let out?—Yes.

8992. And the parties weigh the potatoes themselves?—Yes; the weighmaster, I think, merely superintends.

8993. What other charges?—Each firkin or crock of butter, 1*d.*; each carcass of pork, 1*d.*; each draught of grain, meal, flour, or any other commodity or article, under three hundred-weight, 1*d.*; over that quantity, 2*d.* At the weigh-bridge, each empty car or cart, 1*d.*; each other draught, 2*d.*

8994. If a person pays 2*d.* for a draught, must he pay another penny for the cart?—Yes; but sometimes, if there are a number of carts, only one is weighed.

8995. Is there an inspector of butter here?—No.

8996. Was there ever an inspector?—There was not.

8997. Is corn sold here by the barrel?—No; by the hundred-weight of 112 pounds.

8998. Does the stone always consist of fourteen pounds?—Yes, except wool, which is sixteen pounds.

8999. How are potatoes weighed?—By the hundred-weight.

9000. On market days, do people sell out of your market?—They do.

9001. Have you ever heard of frauds practised in private weighing?—I have heard complaints.

9002. Do you consider the system an objectionable one?—I do, most decidedly; I think what we want are, first, public markets, were every thing connected with agricultural produce should be weighed and offered for sale; second, an uniformity of weights and measures; and, third, that the farmer should be paid for the actual weight of the commodity which he sells.

9003. I suppose you would have the charge, in such a market, only just sufficient to sup-

port it respectably, and that you would not allow it to be made a source of revenue either to a private proprietor or a public body?—Certainly.

9004. If the sum received one year were more than sufficient, you would reduce the charge next year?—Certainly; or else give increased accommodation.

625. David Harold, esq.

9005. What would you recommend as the best uniform system of weighing?—By the hundred-weight and stone; or whatever was decided upon as being the most convenient.

9006. Would you be in favour of weighing agricultural produce, standing beam, to the pound, and abolishing all deductions, except the tare of the empty sack or firkin?—Precisely.

9007. Do you think the present system of nominally buying a hundred-weight of pork or corn, but in reality getting a great deal more, injurious?—Very much so.

9008. Does it not, at least, keep up a fictitious price?—It does; and opens the door to frauds.

9009. Are any deductions for beamage made upon corn here?—None.

9010. What is the smallest weight used in weighing it?—One pound.

9011. What for butter?—Half a pound.

9012. Any deductions in butter?—The buyer takes off two pounds for each firkin, and pays for nothing beyond seventy pounds. I knew of a case which was brought before me, as foreman of the Market Jury, where as much as six or seven pounds, over the seventy pounds, were not paid for; and I say, therefore, I should like to have the farmer paid for the actual weight of the commodity he sells.

9013. Of course, you would have penalties for frauds in the making up of corn or butter?—Certainly; strictly enforced.

9014. Would you be in favour of having the market begin and close at a stated hour; whatever was considered most convenient?—Certainly; it would be a saving of time, and very useful to all parties.

9015. Would it not be a great advantage, that in such a market you would be able to obtain proper statistical returns?—Certainly; and I hope there will be means established for that purpose.

9016. You would have yearly returns made up by the officers in charge of the markets?—Yes; or, even, if necessary, monthly returns.

9017. Would it not be desirable to have the head officer a person who could arbitrate between the buyer and the seller, in case of any dispute, subject to an appeal to the magistrates?—I think it would be very useful.

9018. Would you be in favour of having all butter coming within the limits of the market, sold and weighed in the public market, and have it weighed and inspected by competent sworn persons previous to sale?—I think it would be a very great improvement.

9019. Would you be in favour of having the fairs removed from the public streets into a proper enclosed fair-green?—Certainly; and it is the intention of Mr. Kerr to have the fair-green here enclosed.

9020. As a rule all over the country, would it not be a good plan to make a small charge upon all cattle entering the fair, for a good standing?—Yes; I think it would be the only equitable plan.

Mr. *Charles Macready* examined.

626. Mr. Chas. Macready.

9021. Do you reside in Downpatrick?—I do.

9022. What is your occupation?—I am weighmaster of the grain market.

9023. Do the other weighmasters account to you?—They do.

9024. In fact, you are the general weighmaster?—I am.

9025. By whom were you appointed?—By Mr. Kerr.

9026. When?—Upon the 15th of last April.

9027. Were you sworn?—I was.

9028. Have you a copy of your appointment?—It is in the hands of the seneschal.

9029. Was it under the 4th of Anne, c. 14?—It was.

9030. Do you make the charge mentioned here to-day?—I do.

9031. Do you give a ticket?—I do.

9032. And keep a book?—Yes.

9033. Is all the agricultural produce weighed in the public scales?—No; a great deal of it is weighed at the stores.

9034. What is your system of weighing?—To the pound, down weight.

9035. What would bring the scales from standing beam to down weight?—One pound would clink the beam down; it is not hung high from the ground.

9036. If it was one pound half way down, would you throw out the one pound?—I would, if it did not touch the ground.

9037. Then a man might lose one pound and a half?—It is possible he might.

9038. Do you make any deduction?—Nothing, except for the bag.

9039. Do you weigh the empty bag?—Sometimes I do, and sometimes not; if the sack does not come back, the buyer and seller settle it between them, and I only give the ticket in the gross.

9040. Do you never lump the sacks, and put down seven pounds for each?—Never.

9041. Does the merchant deduct beamage?—I rather think not.

9042. Does the buyer pay for odd pounds?—I believe some of them do not pay for less than seven pounds.

9043. When you tare the sack, do you keep a copy of the tare?—No.

DOWNPATRICK, 11*th January*, 1853.

626. Mr. Chas. Macready.

9044. Suppose a gentleman's steward lost his ticket, and came back the next day, could you give him a copy?—I could, of the gross weight, but not of the tare; it is only a very small proportion of the sacks which come to me to be tared.

9045. What staff do you employ in the market?—A man to each scale, and three porters, and occasionally my son assists at the weigh-bridge.

9046. Do you receive a fixed salary?—I do.

9047. Do you account to Mr. Kerr for your receipts?—I do.

9048. Do you weigh nothing but grain?—Sometimes, peas and beans; and on the weigh-bridge, turnips, carrots, hay and straw.

9049. What is the smallest weight you use on the weigh-bridge?—Seven pounds; we use no less, unless there is something very particular to be weighed.

9050. What is the system of weighing at the pork and butter markets?—When I attended there, I weighed just the same as corn, and no deduction; that was left to the buyer and seller.

9051. You do not know the price?—When I obtain the price, I set it down.

9052. Have you ever heard of frauds practised in private weighing?—I have heard of them, but no instance ever came to my own knowledge.

9053. Would you allow persons to sell corn in your market without weighing?—I have no instructions as to that; I do not know whether I have any power to prevent it.

627. Mr. Alex. M'Nea.

Mr. *Alexander M'Nea* examined.

9054. Do you reside in Downpatrick?—I do.

9055. Do you weigh butter and pork?—Yes; and oatmeal.

9056. Have you a market?—The butter and pork are in one market, and the oatmeal is weighed in the street. I weigh meal on Saturdays, at the crane in Irish-street.

9057. Do you account for what you receive?—I do.

9058. And get a fixed salary?—I get the oatmeal receipts without accounting for them.

9059. What is your system of weighing butter?—By the 112 pounds, down weight, to the pound; we use half a pound for small lumps.

9060. Do you make the charges entered in this list?—I do.

9061. Any deductions for beamage?—No.

9062. Do you deduct the tare of the empty firkin?—No; I leave all that to the buyer and seller.

9063. What deduction does the buyer make?—Three pounds to the draught.

9064. Does he make any charge?—I think not; they used to charge 10*d.* but I think that is not the case now.

9065. Do they deduct the tare branded upon the firkin?—I think they strip the firkin; sometimes a firkin will weigh four pounds more than is branded upon it.

9066. Do they strip it in every instance?—I think almost always.

9067. Is all the butter weighed at your scales?—It is.

9068. There is none weighed about the streets, or in the private stores?—I think not.

9069. How are persons supplied with fresh butter?—It is hawked about the streets.

9070. How do you weigh lump butter?—Down weight, to the half pound.

9071. Do you deduct any thing?—No.

9072. What do you charge?—One penny a draught.

9073. Would you charge the same for a couple of pounds of butter?—It is often weighed for nothing; but we have no other scales.

9074. Do you give a ticket?—Yes.

9075. How do you weigh pork?—By the 112 pounds, down weight, to the pound, and give a ticket for the gross weight, making no deductions.

9076. Do the buyer and seller arrange the deductions?—They do.

9077. What do you charge?—One penny a carcass.

9078. What deduction does the buyer make?—Eleven pounds a pig, and eight pounds to the hundred-weight. They buy by the 120 pounds.

9079. Does the buyer make any charge?—I think 6*d.*, and some only charge 4*d.* or 5*d.*; the 5*d.* is generally for porterage, and the other 1*d.* for me.

9080. Does the buyer pay for odd pounds at the same rate as the hundred-weight?—I think he pays at the nearest even price he can.

9081. Does not the farmer deliver his own pig?—I think the charge is to pay for carriage to Belfast.

9082. Could you furnish a return from your book of the number of pigs sold in the year, and the average price?—I think I could.

9083. Is the same deductions made for a small pig as from a large one?—Just the same.

9084. Is any thing extra deducted upon a wet day?—I think there is one pound more.

9085. How do you weigh oatmeal?—To the pound, down weight, by the 112 pounds.

9086. Do you make any deductions?—Nothing but the tare of the bag.

9087. What do you charge?—One penny under three hundreds-weight.

628. John Cochrane.

John Cochrane examined.

9088. What is your occupation?—I attend at the potato market, and let out the scales and weights.

9089. Have you any large scales for sacks of potatoes?—No.

9090. How would eight or ten sacks be weighed?—It should be by the half hundred-weight.

DOWNPATRICK, 11*th January*, 1853.

628.
John Cochrane.

9091. Then if a farmer came with a cart-load of potatoes, should they be weighed by the half hundred-weight?—They should.

9092. Is the market held in the streets?—Yes, but I keep a proper space for the carts and cars to go up and down.

9093. Is not that open space the public thoroughfare?—It is.

9094. What are your charges?—Three pence a load, and one penny for a bag or sack.

9095. Do you let out weights with every scale?—Yes, a seven pound, fourteen pound, twenty-eight pound, and fifty-six pound weight I let out with every scale.

9096. Do you see the parties weighing?—I do; and I have my brother as an assistant, and I pass up and down, and see that they weigh correctly.

9097. Do you keep a book?—No.

9098. Is any thing else sold there?—Yes; turnips, mangolds, and carrots, by retail.

9099. Are they sold in the same way?—Just the same.

9100. Were you sworn?—I was.

9101. Have you a regular appointment?—Yes, from Mr. Kerr's agent.

9102. What quantity is sold in the year in your market?—From twelve carts to thirty, every Saturday, since the 16th of September, when I was appointed.

629.
Mr. John Nelson.

Mr. *John Nelson* examined.

9103. Where do you reside?—Within two miles of Downpatrick.

9104. What is your occupation?—I am a meal and grain merchant.

9105. Do you purchase in the public market?—Very little; I purchase at the mill.

9106. Do you charge for weighing there?—No.

9107. What is your system of weighing there?—By the 112 pounds, with one pound weight; and if it turns the beam, I pass it.

9108. Do you take beamage, or any allowance?—No; except that any thing less than seven pounds in meal we do not pay for.

9109. Do you tare the empty sack?—Yes, and deduct the actual weight.

9110. Why do you not pay for the odd pounds?—It has been the custom of the trade.

9111. Do you consider the system of weighing in the private stores an objectionable one?—I would rather have any thing weighed at the crane, if it were convenient.

9112. Have you ever heard of traders who could afford to give more than you can, and make it up in weighing?—I cannot say that I have; I may have heard of such cases, but I cannot depend upon them. I think it would be very much better for the merchant and the seller both to sell in the public market; it would give the honest trader a much better chance, and would show the farmer that he was fairly dealt with.

9113. Would it not be an advantage to have the market begin and close at a certain hour?—I think it would.

9114. Would you be in favour of an assimilation of the weights and measures all over the country?—I think it would be a very great improvement.

9115. What would you consider the best system of weighing?—I think by the 112 pounds, it works very well here.

9116. Would you be in favour of weighing all agricultural produce, standing beam, to the pound, and abolish the system of deductions?—Yes; whatever would become the universal usage, it would not signify to the merchant, for he would know what he was buying, and would pay accordingly; and the farmer could be paid to the last pound, and the last halfpenny; if there was a proper market started here, at an hour appointed, the merchants would all have more time, and there would be a great difference between the prices paid for good and bad produce; it nearly all gets the same price here, unless the sample is very inferior.

9117. Does not the system of making the deductions from good and bad alike, operate as an encouragement to the farmers to bring in their corn dirty?—I think so; and if the proper value of good and bad wheat were given, the farmers would bring better corn from the country, generally.

9118. In the event of it being made compulsory to go to the public market, would you have penalties recoverable in a summary way, for frauds committed by either party?—Yes, certainly.

9119. Does much corn come in here made up fraudulently?—Not much now; there is very little reason to complain.

9120. Would it not be desirable to obtain—which could be very easily done in a proper well-regulated market—the statistics of the country?—Unquestionably; very desirable. I would recommend particularly, fixed hours for the market, and if that system is not established, I think our market here will go down. I have a partner in Derry, and he has bought as much as fifty tons of corn there in half an hour.

9121. Would you attend the market here regularly in the event of such an arrangement?—I would, if it were properly regulated; but I attend it very little now.

9122. Although you live two miles from town, if there were a regular market, you would not object to go there?—No; I would attend every market-day.

9123. You do not consider that such a system would be a restriction upon trade?—I do not think it would; it might put the farmers to some inconvenience before they understood the rules, but in time they would come to understand them.

DOWNPATRICK, 11th *January*, 1853.

630. Mr. James Steele.

Mr. *James Steele* examined.

9124. Where do you reside?—In Downpatrick.

9125. Do you buy corn?—I do, for home consumption.

9126. Do you buy at your own store, or in the public market?—At both places; any thing I buy in the market is weighed there, and any thing I buy in the store is weighed there.

9127. Do you make any charge for weighing or porterage?—None.

9128. What is your system of weighing?—Down weight to the pound.

9129. Do you tare the empty sack?—Yes.

9130. Do you deduct any beamage?—No.

9131. Do you pay for odd pounds?—Before the market was established I paid a halfpenny for every odd pound, but since that I pay for nothing under seven pounds.

9132. If a man had only a single sack to sell, would you pay for nothing under seven pounds?—Nothing.

9133. Would you be in favour of a general market, where it would be compulsory to buy and sell?—Yes, I would much rather buy in the market than at my own stores.

9134. Would you have the charge at such a market only just sufficient to support it?—Certainly.

9135. Do you think the farmers would complain of having to go to a public market?—I do not think they would, and I am certain that it would be for their own interest.

9136. Would you be in favour of an assimilation of weights and measures everywhere throughout the country?—I would.

9137. What system of buying would you suggest?—By the hundred-weight.

9138. Do you think that would be better than buying by the stone?—I think it would.

9139. Would you be in favour of weighing to the pound, standing beam, and abolishing all deductions?—I would.

9140. Would you be in favour of the market commencing and closing at a certain hour?—Yes; we go in now at ten o'clock, and may be buying odd loads perhaps up to one o'clock; whereas if a regular hour were appointed, we might have all purchased in half the time.

9141. You would close at a certain hour also?—Certainly.

9142. Would you have the head officer empowered to decide disputes between buyer and seller?—I would; I think there is a great need for something of the kind, for we find in many cases the grain is not at all equal throughout.

9143. You would not leave such questions entirely to the decision of the buyer?—Certainly not.

9144. Would it not be an advantage that in a public market you could obtain the statistics of all the markets throughout the country?—Most decidedly.

9145. You would not consider such a market a restriction upon trade?—I would think it quite the contrary.

631. Mr. Conway Pilson.

Mr. *Conway Pilson* examined.

9146. Do you reside in Downpatrick?—I do.

9147. You are foreman of the Market Jury?—I am.

9148. Do you consider the answers we have heard given to be generally correct?—I do.

9149. Can you state what are the deductions made upon pork by the buyers?—Eleven pounds are taken off each pig, and twelve pounds upon a wet day; the merchants buy by 120 pounds.

9150. What do they charge?—The charge varies; one person will only charge 4*d.*, and another buyer will charge 5*d.*

9151. Does that include 1*d.* to the weighmaster?—In those instances, I think, it does not; the whole charge made is generally 6*d.*

9152. What are the reductions upon butter?—The butter buyers tell me they take two pounds to the beam, and they do not pay upon dark firkins for any thing over seventy pounds; they first deduct fourteen pounds for tare, and if that brings the number of pounds to seventy-five, they will pay for only seventy pounds.

9153. Do they deduct first from the gross weight?—They do.

9154. The seller may lose eight or nine pounds?—He may. I do not consider the two pounds upon the seventy pounds lost, for I consider they are bound to allow it.

9155. Will a man get first quality price for a firkin which is not quite full?—I think he will.

9156. If the firkin is not full up to the groove will the seller be paid for first quality?—I cannot say.

9157. Do the buyers always deduct fourteen pounds?—They do.

9158. Do they ever strip the firkin?—It is not customary; and I have heard complaints from Liverpool, that after they take out the butter there, the firkin is sometimes found to weigh nineteen pounds.

9159. Suppose a firkin weighs twelve pounds when it is made, what will the cooper brand it?—I understand he will brand it fourteen pounds. Some of the firkins are very much in excess, which is one reason why the buyers do not pay for over seventy pounds. I have myself sent white firkins to the market, and have been paid for every pound.

9160. Would you be in favour of having all firkins tared and branded by a responsible officer?—I would.

DOWNPATRICK, 11th January, 1853.

631.

Mr. Conway Filson.

9161. Would you be in favour of having all butter inspected and weighed in the public market before sale, and sold there?—Most certainly. I have been informed by the butter buyers themselves, that they would pay a small sum upon each firkin towards the expense of inspection.

9162. Does the buyer make any charge for cooperage?—Not here; they used to charge 10*d.*, under the plea that they should follow the Belfast buyers, until two or three others and I exerted ourselves, and got them to strike it off.

9163. Would you be in favour of having a general market for all agricultural produce?—I consider that it would be an advantage to the community at large, both buyer and seller. I believe the prices of corn have advanced in this market, as compared with the prices of previous years, since the market was established here. When the barley was 6*s.* in Belfast, we were not within 6*d.* of that price, but now we are within 1*d.* or 2*d.*

9164. You would only have the charge made just sufficient to support the market?—Just sufficient and not more; it would be injurious to allow it to form any source of revenue, except alone for the market purposes.

9165. Would you be in favour of an assimilation of weights and measures all over the country?—Yes; having one uniform standard over the whole country; and I conceive 112 pounds to the hundred-weight would be the most advantageous system.

9166. Would you be in favour of weighing all agricultural produce standing beam, to the pound, and abolishing all deductions, paying the farmer for every pound he has?—I think it would be advantageous to all dealers, and would prevent frauds.

9167. Would you be in favour of having the market commence and close at a certain hour?—I think it would be an advantage. I have heard merchants say, that if that were the case they would make it a point to be up to time; and it would be attended with considerable advantage, as increased competition would be produced by it.

9168. Do you think the farmers would object to pay a small toll to support such a market?—I have conversed with many upon the subject, and the prevailing opinion decidedly was in favour of a public market; and they stated that they have derived much benefit from the market here, even in its present imperfect state. It must, however, be made compulsory. With regard to the charge upon entering the fair-green, I think it of the utmost importance that the charge should be little more than nominal. Suppose there were four acres taken, at £3 the Irish acre, enclosed with a wall; when the cattle here amount from 500 to 1,000 in a day, and the fairs are held monthly, a very small charge would suffice. I well recollect, that before the present proprietor so liberally and kindly renewed the fairs, they were a source of great annoyance, and frequent quarrels took place between the toll-gatherers and the sellers, and not unfrequently a book was put into the hands of the people who had sold, to swear them.

9169. Would it not be more desirable to make the charge on every thing going in?—Most decidedly; it would put a stop to the arguing and disputes about whether animals were sold or not. I do not think there could be a better instance found of the advantage of a public market than this very place. The town has improved considerably, and the market has been very much better supplied. Before the market was established I have known farmers hawking their corn about the town, and being obliged to go home in the evening without having sold; and I believe there is now no instance upon a market-day here of every commodity not being sold, to the last pig. Our meetings of the Market Jury are generally held weekly, and I receive a return of the wheat and barley for the entire town; and I have been endeavouring to the utmost to induce the farmers to attend the market; and I was obliged to draw the attention of the seneschal to infractions of the market rules, by persons buying grain, fowl, and eggs, at the other end of the town, and we have done our utmost to have a stop put to it; I think nothing short of a legislative measure will absolutely put an end to it.

9170. Would it not be an advantage that in a general market we could obtain the true statistics of the market?—It would be most valuable. The Census Commissioners have furnished us with some information; but that taken in a public market would be far more correct and more satisfactory. It would guide the farmer as to what description of grain he should sow.

9171. Is there any of the muslin embroidery trade here?—Yes, there are several agents here, and they employ a great number in this town and the surrounding country.

9172. Have you ever heard of any complaints regarding them?—I have been present upon petty sessions court days, when those persons were frequently prosecuted by the agents for doing injury to the work, and for abstraction.

9173. Have you ever heard complaints against the agents?—There are complaints here, but not to the same extent as in other places, partly because there are respectable agents, and the petty sessions courts have referred the matter to arbitration, which have often been given against the agents.

9174. Whom have they appointed arbitrators?—Frequently two disinterested parties in the court. The Head-Constable states here that there is a great deal of complaint, which is very much to be regretted, for there is a great deal of employment given in that way.

632.

Alexander M'Call.

Alexander M'Call examined.

9175. Do you reside in Downpatrick?—I do.

9176. What is your occupation?—I am a cooper.

9177. Do you brand the firkins yourself?—I do.

9178. Do you always weigh them?—I do not.

DOWNPATRICK, 11*th January*, 1853.

632. Alexander M'Call.

9179. Do you brand them without weighing?—I do.
9180. How do you know the weight?—I take it by guess.
9181. What is the general weight?—I think twelve pounds.
9182. What do you generally brand them?—Fourteen pounds. I allow two pounds for soakage.
9183. Do you always allow two pounds?—I do.
9184. Have you ever heard of frauds in branding the firkins?—I have.
9185. Would you think it a good plan to oblige the coopers to send the firkins into the public market, and have them weighed and sold there?—Yes, if a brand-master were appointed.
9186. What do you charge for firkins?—From 1*s.* 6*d.* to 2*s.* 6*d.* We make some of them with white hoops.
9187. Did you ever know firkins to weigh thirteen pounds?—I did.
9188. Did you ever know them fourteen pounds?—No, they have never left my place fourteen pounds, but they have left it thirteen and a-half pounds.
9189. Would you brand such firkins fourteen pounds?—I would.
9190. Would they not soak up to fifteen and a-half pounds?—They might.
9191. The merchant then would lose one and a-half pounds?—He would.
9192. Is that the practice with other coopers?—They make them as weighty as they can.
9193. Do you sell more thirteen and a-half pound firkins than twelve pound?—I do not; for the worst of it is, that we cannot get them weighty enough.

633. Mr. Samuel Seed.

Mr. *Samuel Seed* examined.

9194. Where do you reside?—Near Strangford.
9195. Do you farm land?—I do, about thirty-eight acres, Irish.
9196. Do you sell in the market here?—No, I sell at the private stores.
9197. Why do you not go to the market?—I get a very good price from the buyer to whom I sell. If he were not there perhaps I would go to the market.
9198. As a general rule, would you be in favour of having proper public markets, with sworn weighmasters and inspectors?—I would.
9199. As a farmer, you would not object to pay a small toll to support such a market?—I would not.
9200. Would you be in favour of an assimilation of weights and measures all over the country?—I would.
9201. And weighing standing beam, to the pound, and abolishing all deductions?—I would.
9202. Would not such a rule encourage you to bring in your corn in a better state?—It would induce me to clean it well.
9203. Have you ever heard of frauds committed at the weighing in private stores?—I have heard of them, but I never saw any.
9204. Would you be in favour of having the fairs held in properly enclosed fair-greens?—I think it would be better.
9205. Would you object to pay a small charge for a properly enclosed fair-green?—I would not, provided it were very small.
9206. Would you be in favour of the market commencing and closing at a certain hour?—I would.
9207. Do you think it would be a good plan to have the person at the head of the market empowered to decide disputes?—Yes, it would be very well.
9208. Have you ever heard of frauds practised by persons stating that pigs were measly?—I heard of such things, but they have never come to my own knowledge.
9209. Is there a live pig market here?—There is.
9210. Have you ever heard of persons buying pigs on speculation, and then throwing them up in the evening?—I have heard of them.

634. John Maxwell, esq.

John Maxwell, esq., examined.

9211. Are you a magistrate for the county?—I am.
9212. Do you reside near the town?—I do.
9213. Do you generally concur in the evidence of the previous witnesses?—Perfectly.
9214. Would you be in favour of a general public market?—Certainly.
9215. And make it compulsory to buy and sell there?—Most decidedly.
9216. You would not think it an infringement upon the liberty of trade to be obliged to go there?—By no means.
9217. Would you object to pay a small charge to support such a market?—I would not.
9218. Would you be in favour of an assimilation of weights and measures all over the country?—Yes, not only in this country, but over the entire kingdom.
9219. What would you think the best uniform system?—I should think by the 112 pounds.
9220. You would abolish altogether the old system of weighing by barrels?—Most certainly.
9221. Would you be in favour of weighing standing beam, to the pound, and abolishing all deductions except the actual weight of the empty sack or firkin?—Exactly, and pay the farmer for every pound of his produce. That would be the fairest system between the buyer and the seller.

DOWNPATRICK, 11*th January*, 1853.

634. John Maxwell, esq.

9222. Would you approve of having the market open and close at certain hours?—I would be decidedly in favour of it.

9223. Would it not be a great advantage to obtain the proper statistics of the country?—Certainly; and I know no better means of accomplishing that object than by having a compulsory market.

9224. Would you be in favour of having the fairs removed to properly-enclosed and well-drained fair-greens?—Yes, certainly. Nothing is so inconvenient to the public as allowing the streets to be thronged by holding fairs in them.

9225. You would not allow proprietors to levy tolls for spoiling the Queen's highway?—Certainly not. One suggestion I have heard, as to the propriety of having an arbitrator in the market, is very valuable indeed; and I think one arbitrator would answer the purpose of the whole market.

9226. You would have some third party, in whom all persons would repose confidence, to settle disputes?—Certainly. I would allow an appeal to the magistrates; but certainly the appeal ought not to go beyond the first court.

9227. Is not the power of the magistrate very restricted, by being limited to the amount of £5?—Very much.

9228. Would it not be an improvement, instead of having £5, the value of the article, to have it the value of the fraud?—It would be a great improvement to have it the amount of the fraud attempted.

9229. Would you object to pay a small charge for a good standing, in an enclosed fair-green?—By no means.

9230. Do you think the farmers, generally, would?—I do not think they would. I think the convenience and advantage they would derive from it would gratify them very much.

9231. Do you think the townspeople, generally, would object to have the fairs removed from the streets?—I think not. It is a great inconvenience to the townspeople to have their doors blocked up. Perhaps the public cars might suffer a little, but I think that would be a great public advantage.

635. John Lowry.

John Lowry examined.

9232. Do you reside in Downpatrick?—I do. I am agent for a Glasgow and Belfast house, and I employ a great number of sewed muslin embroiderers.

9233. How many women and girls do you employ in this town?—In the town and neighbourhood about 1,000.

9234. What amount of money do you expend in the week?—In this town and neighbourhood alone, about £200.

9235. Do you employ any persons in Rathfriland?—No; but I think the house does.

9236. Have you ever to cut the prices of the persons you employ?—Yes, very often. The sewed muslin trade is divided into four classes: a lady's collar of the first class would be worth 4*s.* for sewing; now, in the second class, the work is not worth more than 2*s.* 6*d.* to the house; and in the third class, it is not worth more than 1*s.*; and what causes the great reductions is, that some girls take into their hands first-class work, while they are not fit to sew any but third class-work. Sometimes, when persons are needy, a girl will begin to sew articles before she is properly qualified, and spoil them. I have seen articles, consequently, sold in London at prices fifty per cent. below what was paid for sewing them.

9237. Have you ever heard of agents deducting a great deal which they never returned to their employers?—It may be the case. I have heard complaints; but from my own knowledge, having been here sixteen or seventeen years, I do not believe that any respectable agent would do any thing of the kind. The fault is, that no matter who the agent, no matter how bad his character, persons will go to him if he promises 1*d.* more than others. I have known agents, upon one parcel, losing £6 upon £20 worth of goods. The company will not allow the prices he has to pay the sewers, and the agent must pay it himself. I think for the last sixteen years, I have not heard of two complaints against me by the sewers. I remember a case before the bench, between an agent and a sewer, where the sewer was to get 12*s.* for a robe, and it was referred to me, and I valued the robe at 10*s.* Another arbiter was taken who valued it at 1*s.* under me. These articles are very expensive, and no person will buy them except a lady who can afford to pay a high price, and who will not take coarse work at all.

9238. What will a first-rate workwoman, employed by you, receive?—I have known a family of four girls earning 28*s.* a week.

9239. Was that first-class work?—It was.

9240. What is the average?—The coarse sewer will not earn more than 3*s.* or 4*s.* a week; a second-class sewer will earn 5*s.* a week at present. The custom I adopt is: if a worker brings a piece, and objects to what I say it is worth, I put it into her hands, and say, take it to any person who is competent to judge, and if you bring me a line from him saying that it is worth more, I will pay it.

636. Mr. Joseph Carson.

Mr. *Joseph Carson* examined.

9241. Do you reside in Downpatrick?—I do.

9242. You are inspector of weights and measures for this district?—I am.

9243. Has any alteration been lately made in your appointment?—No; except that when I was first appointed I received fees, and now I receive a stated salary.

9244. Do the constabulary perform the duties here?—They do not.

9245. Have you discovered many frauds?—A great many.

DOWNPATRICK, 11th January, 1853.

636.

Mr. Joseph Carson.

9246. Have you had many prosecutions?—Yes, a great many.
9247. Among what class of persons?—Generally among the huxter class.
9248. Not among the respectable merchants?—Very few.
9249. Are you also a farmer?—I am.
9250. Do you concur in the opinions which we have heard here?—I do fully.
9251. Would you approve of a general market?—I would.
9252. Would you make it compulsory to sell and weigh there?—Most certainly.
9253. Would you object to pay a small charge for supporting such a market?—I would not; only in respect to Downpatrick we have a very good fair-green free.

BOROUGH and MARKET-TOWN of DOWNPATRICK.

TOLLS and CUSTOMS leviable by Law (exclusive of the usual charges for weighing, and for beams, scales, and measures), all payable to DAVID STEWART KER, esq., Lord of the Manor:—

	On Market and other Week-days.	On Fair days.
	d.	d.
For a carcass of beef,	4	4
„ hog or swine,	2	2
„ mutton or veal,	1	1
„ lamb,	0½	0½
„ hide, cake of tallow, or cask of butter, a load of cheese, soap, oysters, or fish of any kind, a load of lemons, a sack of potatoes, or a load of any kind of timber, each,	1	1
„ wheel car,	1	1
„ slide car,	0½	1
„ stall, covered,	1	6
„ standing or lying stall,	1	4
„ creel or basket of bread,	1	2
For a shoemaker's, broguemaker's, or leather-cutter's stall,	1	4
„ web of woollen cloth,	1	1
„ „ drugget,	0½	0½
„ hatter's stall, a pack of wool, sack of apples or nuts, hamper of gooseberries, or any other fruit, a load of earthen or wooden ware, each,	1	4
For one sack of meal, seeds, peas, or the like, one Winchester quart of the same,	1	4
For every cow, ox, bull, horse, mare, &c.,	—	4
„ sum or eight sheep,	—	4

The above are not now levied.

Charges which only are now to be levied.

	d.
For each stall or standing-place for the sale of any commodity, except potatoes,	1
For each stall or standing-place for potatoes, where a car or cart load is exposed for sale,	3
Where only one or more sacks or bags, for each,	1

☞ These charges, as to potatoes, include the use of beam, buckets, and weights, in the retail market, supplied by the clerk of the market or his officer.

Charges at each of the public cranes.

	d.
For each firkin, half firkin, or crock of butter, and for each carcass of pork,	1
For each draught of grain, meal, flour, or any other commodity or article, if under three hundred-weight,	1
If over three hundred-weight,	2

Charges at the public weigh-bridge.

	d.
For each empty car or cart,	1
For each other draught,	2

CHARLES M'CREEDY,
ALEXANDER M'NEA, Jun.,
JOHN COCHRAN,
ROBERT CROSS,
HUGH GRAY,
} *Collectors.*

HUGH WALLACE, *Seneschal, and Clerk of the Market.*

Downpatrick, 12th Oct., 1852.

Rules & Regulations.

RULES and REGULATIONS of the BOROUGH and MARKET-TOWN of DOWNPATRICK.

Rules and Regulations for the Markets and Streets in the said Town and Borough, all which must be henceforward strictly observed, under the penalties set forth in the Statute, 14th and 15th Victoria, Cap. 92, of which the following is an extract, viz.:—

"Any person who shall offend against any of the said regulations, by exhibiting goods "or wares in any such market in any place other than that appointed for the sale of the "same, or by refusing to remove the same when required so to do, or by obstructing the "passages or thoroughfares in and through such market, or by placing or leaving any impediment of any kind therein, or by leaving or causing to be left any dirt or nuisance of any "kind therein, or shall commit any indecency in said market or in the passages thereto, "shall be liable to a fine, for a first offence, not exceeding five shillings, and for a second "offence, not exceeding ten shillings."

GENERAL RULES.

DOWNPATRICK, 11*th January*, 1853.

Rules & Regulations.

That no article shall be brought into any of the markets, or be offered for sale or sold in any market or place, or at any time or times, other than such markets and places, time and times, as are hereinafter appointed, or such as may from time to time be appointed and publicly notified, as appropriated for the purpose by the Seneschal or Clerk of the Market, and the Courtleet Jury, with the concurrence of the Town Commissioners, elected under the Statute 9th George IV., cap. 82.

1. That no person shall, within the said borough or market-town, cause any cart, dray, waggon, or other such carriage, or any public or hackney car or carriage, either with or without any horse or other animal, yoked or harnessed therein, to stand or remain in any street or public road longer than may be reasonable or necessary for loading or unloading, or for taking up or setting down passengers or goods.

2. That no person shall bring into, or erect or put in any market or street, any stall or standing, or any cart, handcart, wheelbarrow, table, bench, stool, chair, basket, or other thing of the like description, with or for the purpose of goods or articles exposed or intended to be exposed for sale, except by the permission, and under the direction of the Clerk of the Market, or the Marshal, Constable, or other officer appointed by him; and in such manner and place, and to such extent, and during such time, as shall be directed for each person.

3. That no person shall obstruct the passages or thoroughfares in or through any of the markets or streets, by refusing (when thereto required by the Clerk of the Market, or his officer) to remove any goods, wares, or things brought for sale or sold, or any stall, standing, or other thing used or placed to be used for goods or articles intended for sale, or by placing or leaving in any of the said markets or streets, or passages thereto, any dirt, nuisance or other impediment.

4. That all goods, wares, and merchandise, articles and things sold by weight in any of the said markets, shall be weighed only at and by the public cranes, weigh-bridges, beams, scales, and weights, provided and appropriated for the purpose by the Clerk of the Market or his officer.

5. That all persons bringing goods, articles or things to market for sale, or using or taking any standing or place in any of the markets or streets for the purpose of exposing to sale, or using any of the public cranes, weigh-bridges, beams, scales, or weights, shall pay to the officer appointed for the receipt of the same, the customary charges fixed by the Clerk of the Market, and publicly notified.

6. *Forestalling.*—No person resorting to any market as a buyer shall, within the borough of Down, buy from any person on his way to any of the markets or market-places, nor stop any such person for the purpose of purchasing or offering to purchase from him any marketable commodity.

PLACES for MARKETS, and TIMES of OPENING and CLOSING same.

Grain, &c.—The market for the sale of wheat, barley, bere, oats, rye, dry beans, peas, and vetches, is to be held in and adjoining to the new market-house, on the fair-ground, on Tuesdays and Saturdays, opening at ten o'clock, A.M., and closing at one o'clock, P.M.

Meal, &c.—The market for the sale of all kinds of meal, oaten seeds, groats, and oat chaff, is to be held at and about the crane, in Irish-street, on Tuesdays and Saturdays, opening at eleven o'clock, A.M., and closing at two o'clock, P.M. The retail market for meal is to be held in the old market-house, in Irish-street, on the same days, commencing at noon, and closing at six o'clock, P.M.

Pork and Butter.—The market for the sale of pork, and also of butter in firkins, crocks, butts, boxes, barrels, and lumps, is to be held on the market-house side of the fair-ground, on Tuesdays and Saturdays, opening, for pork, at eight o'clock, A.M., and for butter, at eleven o'clock, A.M., and, as to both pork and butter, closing at one o'clock, P.M.

Fish, Flesh Meat, Hides, &c.—The market for the sale of fish of all kinds, and also of flesh meat, and of green or salted hides, and cakes or other packages or parcels of tallow, lard, or fat, is to be held in the shamble buildings, or on stalls in the open ground between those buildings and the opposite houses in John's-lane, on every day except Sunday, commencing at eight o'clock, A.M., and closing at nine o'clock, P.M.

Eggs, Poultry, and Print Butter.—The market for eggs, poultry of all kinds, and for butter in prints, is to be held on the fair-ground immediately adjoining to Mr. Crosskery's wall, or on the fair-ground directly opposite, on every Tuesday and Saturday, opening at eight o'clock, A.M., and closing at four o'clock, P.M.

Vegetables, &c., for family use.—The market for vegetables and roots (except potatoes) for family use, is to be held in Church-lane, from and along opposite to Dr. Caldwell's house up to the church-yard gate, on every day (except Sunday), commencing at eight o'clock, A.M., and closing at six o'clock, P.M.

Linen, Flax, &c.—The market for the sale of green linen in webs, flax, tow, and wool, is to be held in the old market-house, in Irish-street, on Saturdays, opening at nine o'clock, A.M., and closing at two o'clock, P.M.

Hay, Straw, Grass, &c.—The market for the sale of hay, straw, grass, clover, vetches, turnips, carrots, cabbage, beet, mangel wurzel, flax seed bolls, and all kinds of feeding for cattle; cabbage plants, quicks, shrubs, and young trees; also, of bog-wood and turf, is to be held on the market-house side of the fair-ground, on every day (save Sunday), opening at six o'clock, A.M., and closing at six o'clock, P.M.

DOWNPATRICK, 11th January, 1853.

Rules & Regulations.

Horses, Cattle, Pigs, &c.—The market for the sale of horses, mares, geldings, fillies, foals, mules, asses, and jennets, is to be held on the fair-ground between the market house and gas-works; and the market for the sale of black cattle and calves is to be held on the fair-ground between Mr. Crosskery's wall and the market-house; and the market for the sale of sheep, goats, and pigs, is to be held on the cathedral side of the fair-ground,—all on Saturdays, opening at eight o'clock, A.M., and closing at six o'clock, P.M.

Stalls, Stands, and Standing-places.—The market for the sale of tin-ware, hardware, delft, and earthenware; baskets and rods; cooper's, turner's, and other wood or timber work; haberdashery, hosiery, green and bleached linen; sacking, flannel, and woollens; boots, shoes, brogues, and dried leather; old and new wearing apparel; and also of apples, pears, and other fruits is to be held in stalls or standing-places, in Irish-street, Scotch-street, and the fair-ground, on every day (save Sunday), as may, from time to time, be directed or permitted by the Clerk of the Market, or his officer, and not elsewhere or otherwise.

Downpatrick, 11th September, 1852.

HUGH WALLACE,
Seneschal and Clerk of the Markt.

JAMES CLELAND,
Chairman of the Town Commissioners.

BALLINAHINCH, 12th January, 1853.

BALLINAHINCH, JANUARY 12, 1853.

William Robert Anketell, esq., examined.

637.

W. R. Anketell, esq.

9254. You reside in Ballinahinch?—I do.

9255. Are you a magistrate for the county?—I am.

9256. And agent to Mr. Kerr?—Yes.

9257. Can you give us any information respecting the authority or patent under which the fairs and markets in this town are held?—Under a patent, dated the 20th day of March, in the thirty-fourth year of the reign of Charles the Second.

9258. To whom was it granted?—To Sir George Rawdon. There was a previous patent, which it recites and confirms, granting a weekly market upon every Thursday; and two fairs in the year, upon the 1st of February, and 29th of June, old style; each fair to be held for three days, with courts of *pie poudre*, and all the usual customs, profits, emoluments, tolls, perquisites, freedoms, privileges, and jurisdictions whatsoever.

9259. Who is the representative of the original patentee, and proprietor of the fairs and markets?—Mr. David Stewart Kerr.

9260. Are the markets still held upon the days mentioned in the patent?—They are.

9261. What fairs have you?—We have a fair once a month. The old fairs are given up, and the new fairs are held upon the third Thursday of every month.

9262. Was there a patent obtained for holding these monthly fairs?—I think not. There were ten fairs formerly, but now they are made monthly.

9263. Established by general consent?—Yes.

9264. Are tolls paid at either the fairs or markets now?—There are not.

9265. When were they abandoned?—About eighteen or twenty years ago.

9266. Was it in consequence of opposition?—It was in consequence of the difficulty of collecting them; and there was great rioting about the collection.

9267. By whom were they abandoned?—By the late Mr. Kerr.

9268. What market accommodation have you in the town?—There is an enclosed market-place for corn, with a crane and market-house; the market-place is about half an acre in extent. There is a flax market, or enclosed market-place, with sheds, for weighing. There is also a market-house, with beams and scales, for the sale of butter in firkins.

9269. Is there an enclosed fair-green?—There is a fair-green, partly enclosed, which is being fully enclosed.

9270. What extent of ground is there?—I suppose three acres, English measure. There are, also, stalls in the square, where butchers' meat is sold.

9271. Has a weighmaster been appointed for the market?—Yes, a person named John Osborne, appointed by Mr. Kerr.

9272. Does he superintend all the weighing?—He is in the grain market chiefly.

9273. Is he in charge of the flax market?—He is; but the buyers and sellers themselves weigh.

9274. Is he the only weighmaster?—He is.

9275. What are the principal articles of agricultural produce sold here?—Oats and barley, flax, firkin and lump butter, live pigs, eggs, and fowl.

9276. Where are the eggs and fowl sold?—In the streets.

9277. Would you be in favour of having public markets all over the country, obliging proprietors to provide proper accommodation, sworn weighmasters, and efficient staffs; and making it compulsory to buy and sell there?—I would rather have such markets. There was great difficulty felt in Downpatrick from the want of a proper market, until the last year, and two or three persons could arrange the market as they liked.

9278. You would have the charge nothing more than would support such markets respectably?—Certainly, nothing more.

9279. Would you be in favour of an assimilation of weights and measures over the whole country?—Yes; I think nothing can be more detrimental to the seller than the present differences of weights and measures.

637.
W. R. Anketell, esq.

9280. Would you think the best system buying by tons, hundreds-weight, quarters, and pounds?—Well I would approve of whatever uniform system was generally thought most convenient.

9281. Would you be in favour of having all agricultural produce weighed standing beam, to the pound, and abolishing all deductions but the actual weight of the empty sack or firkin?—I think so.

9282. Would it not be desirable to have the market commence at stated hours?—It would.

9283. Would you have the officer in charge of such a market empowered to decide disputes between buyers and sellers?—I would, where there was not a Market Jury. The magistrates have power to decide such disputes under the late Act, but they are not always qualified. I do not feel myself competent to decide upon the quality of butter, or whether corn is properly made up; nor can any one but a person in trade. I think it would be well to have such questions left to a sworn inspector, with an appeal, if necessary, to the magistrates. The disputes here are very trifling; but even these trifling things are sometimes very difficult to decide, and troublesome.

9284. Would you be in favour of removing the fairs out of the streets in every instance, and providing proper enclosed fair-greens?—Yes, I think so.

9285. Do you think the farmers, generally, would object to pay a small toll for such fields?—Not if it were very small. I think it would be necessary to have a provision of the kind to meet particular cases; but I think, as a general rule, proprietors probably would not levy the tolls.

9286. In the event of charges being made at fairs, would it not be well to make a small charge upon every thing going into the field?—I think so. The great cause of disputes here, formerly, was whether animals were sold or not. In some cases the animals might not actually have been sold, but taken a quarter of a mile out of town, with an engagement to be sold.

9287. Would it not be desirable to obtain, in public markets, the proper agricultural statistics of the country?—Certainly; and there could be no difficulty if every thing were sold in the public market.

Mr. *John Osborne* examined.

638.
Mr. John Osborne.

9288. Do you reside here?—I do.

9289. Are you weighmaster in this market?—I am.

9290. By whom were you appointed?—By Mr. Kerr.

9291. When?—Seventeen years ago I was appointed, but I have been in the market forty years.

9292. Were you sworn?—I was sworn at the time.

9293. What are your charges for weighing?—The regular charge is 2*d.* a bag for oats; but it is optional with me. I pay £21 a year for it, and I keep all I receive.

9294. Have you no fixed scale of charges posted up in the market?—Not this long time.

9295. What do you receive for weighing corn?—I take no less than 1*d.* for a small bag. I would weigh one hundred-weight, or one and three-quarters of a hundred-weight, for that; and I charge 2*d.* on large loads, and never more.

9296. What do you charge for weighing flax?—I get nothing.

9297. What for butter?—Two pence a firkin, and 1*d.* for a crock.

9298. What for potatoes?—Two pence a load, and 3*d.* on the weigh-bridge; and the same for turnips and green crops. Three pence a load for hay and straw; and for a light load, only 2*d.*

9299. Do you let out small weights for potatoes?—I do, at 2*d.* a load, and the parties themselves weigh.

9300. Would it not be much better to make out a regular scale of charges?—I would do so if I were encouraged by the Lord of the manor.

9301. Do you ever take payment in any other way than by money?—No; I never remember doing so.

9302. Is all the corn weighed at your scales?—No; it is weighed at different mills. They come in and sell it and then take it away, and weigh at the mills.

9303. What is your system of weighing?—Down weight, to the pound, and no beamage.

9304. Do you tare the empty sack?—No, the parties do that themselves.

9305. Do you give a ticket?—I do.

9306. Do you keep a book?—Yes.

9307. Do you enter the weight?—Yes, and sometimes the buyer's name, if the account is not going to be settled at once.

9308. If a person lost his ticket could you give him a copy?—Yes; seven years hence.

9309. Could you give an account of all articles weighed at your market for seven years back?—I could, but not at present. In 1851, there were 600 tons of oats and barley weighed, and there was a great deal more sold; but I can only tell what was weighed at the market.

9310. Do the buyers deduct beamage?—Not now.

9311. How do you weigh the butter?—Down weight, and two pounds off each cask.

9312. Do you weigh to the pound?—Yes.

9313. Do you deduct the tare of the firkin?—Some of the buyers strip it, but not always; and, if they do not, the tare branded on it is deducted.

BALLINAHINCH, 12*th January*, 1853.

638. Mr. John Osborne.

9314. Do you give a ticket?—It is not always required, the buyers enter it in their book.

9315. Do the buyers make any charge for weighing or for cooperage?—Not this long time; but they take off for carriage to Belfast, 6*d.*; it used to be 10*d.* They pay the coopers themselves.

9316. Is there much lump butter sold here?—A great deal.

9317. Where is it sold?—In the different houses; the parties inspect and weigh themselves.

9318. Do you know any thing about the flax selling?—A light stone is sometimes brought to me to try it.

9319. What is a stone?—Sixteen and a-quarter pounds.

9320. Where do you weigh beef?—In the market-house, and small weights stand in the street.

9321. What do you charge for weighing butter?—One penny a quarter, 4*d.* a carcass.

9322. Do you weigh pigs?—Yes; I charge 3*d.* for a pig, the charge used to be 4*d.*

9323. Do you weigh many pigs?—Not many.

9324. Have you ever heard complaints regarding the weighing in the private stores?—I have heard some persons say that the buyers were not well treated; and others, that the sellers were not well treated, but I could not prove any thing.

9325. How do you weigh upon the weighbridge?—Generally to the seven pounds; but any thing that is very valuable, I weigh to the four pounds.

9326. Do you keep a book?—I do.

9327. Does the buyer stop 8*d.* from the seller of butter?—No, 6*d.*; and he gives me 2*d.*

9328. Are there many frauds in taring the firkins?—I have seen a good many stripped, which were two pounds too heavy.

9329. Would you be in favour of having all agricultural produce weighed in the public market?—I would, upon my own account.

9330. If all the produce were to be weighed with you, would you be able to attend to it with one pair of scales?—Not at all.

9331. Would you be in favour of weighing standing beam, to the pound, and abolishing all deductions?—I would.

9332. Do you think the farmers would object to be obliged to go to the public market?—Some would go a long way for a penny, but others would not.

9333. Do you think if there were a proper market, with a good inspector, all the butter would come in in firkins?—I cannot say.

9334. Does your market begin at a certain hour?—It does not; and a great many buyers say to me, that if there were a certain hour, it would be a great advantage, and if there were a place to lay down the sacks where they could see them.

639. Mr. John Wilson.

Mr. *John Wilson* examined.

9335. Do you reside in Ballynahinch?—I do.

9336. Do you buy corn in this market?—I do.

9337. Do you weigh there?—I sometimes take it out to the mill.

9338. Would you be in favour of having all produce weighed in the general market by sworn weighmasters?—Most certainly.

9339. Is not the principle of weighing in private objectionable?—There is no fair way of buying, except in the public market.

9340. Would you be in favour of an assimilation of weights and measures all over the country?—I would, and let all be bought by the hundred-weight.

9341. Would you be in favour of weighing standing beam, and abolishing all deductions?—Standing beam would not be weight, the scale must strike the ground.

9342. But once you pass standing beam, there is no stating where it will stop.—Well, perhaps that is true.

9343. Would you have the person at the head of the market empowered to decide disputes?—I would; and let him say whether grain was fair or not, and make an example of any person who committed fraud, so that he would not do so again.

9344. Would it not be desirable to obtain proper statistics of prices and the amounts weighed?—Yes, it would be correct enough.

9345. Would it not be of use to you?—Oh, not a bit.

9346. Would you approve of having the fairs removed from the streets to proper enclosed fair-greens?—No; in our town there was a stir when the fairs were there, and now there is not.

640. Mr. John Rankin.

Mr. *John Rankin* examined.

9347. Do you reside here?—I do.

9348. Do you buy fowl and butter?—I do.

9349. Is much fowl and eggs sold here?—A great deal, principally sold in the streets.

9350. Would not a proper enclosed market with sheds be more convenient?—Most decidedly.

9351. Do you think parties would object to leave the streets?—I cannot say.

9352. Would you not much rather have your fowl arranged in a proper market, than huddled about the streets?—Yes, I think it would be better.

9353. Do you buy much?—I have bought and shipped some hundreds of pounds' worth of fowl of different kinds in the week.

9354. Do persons here weigh the lump butter themselves?—The buyers weigh it themselves.

BALLINAHINCH, 12th January, 1853.

9355. Do they make any deductions?—One pound is taken off, or on twenty pounds, generally only half a pound.

9356. How is it weighed?—If it is a single lump, it is weighed to the ounce and nothing deducted.

640. Mr. John Rankin.

9357. Is there any charge made for weighing or for the house?—None whatever upon lumps.

David Killer examined.

641. David Killer.

9358. Do you reside here?—I do.

9359. Do you know how flax is sold here?—It is made up in bundles, each weighing sixteen pounds; I cannot say whether there is another quarter of a pound.

9360. Do the buyers make any charge?—One halfpenny a stone for storage, the same as in other places.

9361. When does the market begin?—At ten o'clock.

9362. What quantity is usually sold?—There have been 900 stones sold in a day, I cannot give an exact account.

Mr. *James M'Naughten* examined.

642. Mr. J. M'Naughten

9363. Are you a farmer?—I am.

9364. Do you sell in this town?—No, I go to Belfast or Lisburn.

9365. Would you be in favour of a general market where every thing should be weighed and sold?—Certainly.

9366. Would you object to pay a small charge for it?—Certainly not, if the accommodation were suitable.

9367. Would you be in favour of weighing standing beam and abolishing deductions?—I would, decidedly.

9368. Would you approve of having enclosed fair-greens?—I would have no objection.

9369. Would you object to pay a small charge for a good standing?—I would not.

9370. Would you be in favour of having the market begin at a stated hour?—It would be much better than having it scattered over the whole day, and it would give buyer and seller fair play.

9371. As a general rule, are not public scales the fairest test?—As a general rule, decidedly; but I have weighed at private stores, and got fair play, and saw nothing improper.

Mr. *John Baily* examined.

643. Mr. John Baily.

9372. Do you generally concur in the opinions we have heard?—I do.

9373. Would you be in favour of public markets?—Yes, very much so.

9374. Would you be in favour of an uniform system of weighing?—Certainly; buy everywhere by the hundred-weight. I think it would be a great means of facilitating business if bought in bushels, and if they were a few pounds more or less let it be reduced in proportion. It is done in Scotland: the farmer brings a quantity of barley, and a ticket showing the weight by the bushel, and if the weight is light he gives the buyer a little more.

9375. Would you approve of having penalties recoverable in a summary way for frauds upon the part of buyer or seller?—I would.

9376. And have the officer in charge of the market the person to arbitrate and prosecute?—It would be a great advantage. I heard a gentleman who did a great deal of business here say, that he was obliged very often to clean every pound of the grain he got.

9377. Would you be in favour of weighing standing beam, to the pound, and abolishing all deduction but the weight of the empty firkin or sack?—Exactly.

9378. Would you approve of removing the fairs out of the streets into enclosed fair-greens?—It would be a great improvement—it was found so in Ballynahinch since the fair-green was appropriated to that purpose. The former system was very dangerous, besides preventing the circulation of public conveyances.

9379. Would you be in favour of having the market begin and close at a certain hour?—I would. I would very much approve of having a person in every market to arbitrate. There is great inconvenience about a Market Jury. I was foreman of the Market Jury here, and we found it very inconvenient to leave our own business, and persons had to be sent from one to another of us. Then, when we did arbitrate, the people who were our own townsmen, often felt piqued, and we could not get a jury afterwards. I have heard a question asked about butter coming in in firkins. I think people do not put it into firkins, because buyers prefer it in lumps; and in England persons often object to the firkin butter, and will not buy unless they can get lump butter.

Mr. *Robert Thompson* examined.

644. Mr. R. Thompson.

9380. Can you state what quantity of corn is sold here in the year?—I think about 1,500 tons.

9381. What quantity of eggs and fowl?—About £15,000 worth.

Edward Browne examined.

645. Edward Browne.

9382. Do you reside here?—I do.

9383. Are you in favour of a general market, beginning at a certain hour?—I am.

9384. Are you in favour of removing the fairs out of the streets into proper enclosed fair-greens?—I think, as a general principle, it would be an improvement for the whole country.

BALLINAHINCH, 12th January, 1853.

646.

Mr. Patrick Hanna.

Mr. *Patrick Hanna* examined.

9385. Can you give us any information as to the selling of flax?—It is sold by sixteen and a quarter pounds and weighed with a cast of the beam, and two pounds taken off the hundred-weight.

9386. Do the buyers make any charge?—A halfpenny a stone for storage.

9387. What is the greatest quantity a buyer may purchase in a day?—I have known some buyers buy 1,000 stones in a day.

9388. What does a buyer usually pay for a store?—Probably £10 a year.

9389. If the stone is a little light, will another quarter of a pound be taken off?—There may be a cut in the price.

9390. Would you be in favour of weighing flax and every thing else to the pound, standing beam, and abolishing all deductions?—If it were a rule in every other place it should be made a rule here; if it were the law, it would please me just as well as the present system. I buy flax in some places at twenty-four pounds to the stone.

LISBURN, 13th January, 1853.

647.

Mr. H. J. Garrett.

LISBURN, JANUARY 13, 1853.

Mr. *Henry John Garrett* examined.

9391. Do you reside in Lisburn?—I do.

9392. What is your occupation?—I am weighmaster, appointed by Lord Hertford.

9393. Who is the proprietor of the fairs and markets here?—Lord Hertford.

9394. Did the Corporation ever exercise any rights with regard to the fairs and markets?—I am not aware that they did.

9395. When were you appointed?—In 1847.

9396. What are the market-days?—Tuesday; and there is a small market on Saturday.

9397. What are the fair-days?—There are two fairs, upon the 21st of July, and 5th of October.

9398. Any other fairs?—None.

9399. Are those the old fairs mentioned in the patent?—They are.

9400. Are tolls paid at the markets?—None, whatever.

9401. Are there tolls levied at the fairs?—There are.

9402. Can you give us a list of them?—Yes.

A SCHEDULE of TOLLS to be collected every Fair-day in LISBURN, by Act of Parliament.

		d.
For every horse, mare, or gelding, when sold,	. .	4
„ cow, bull, or bullock,	„ . .	4
„ sheep, goat, or pig,	„ . .	1

Collected by George Briggs, Ralph Briggs, Joseph Dixon, John Briggs, and others.

WM. GREGG, *Seneschal.*

9403. Are there enclosed fair-greens?—There are not.

9404. What are the charges upon market-days for weighing?—Here is a list:—

WEIGHMASTER'S FEES IN LISBURN.

Potatoes, in open cart, 2*d.* per load.	Hay and straw, 2*d.* do.
Turnips and carrots, do., 2*d.* „	Grain and meal, 1*d.* per bag, under 2 cwt.
Potatoes, in bags, 1*d.* per load, and ½*d.* per bag.	„ 1½*d.* „ „ 3 „
Stones, manure, and coals, 1*d.* per load.	„ 2*d.* „ 3 cwt. and upwards.

9405. Do you charge for storage?—I have the power of charging for storage; but if grain should not be sold in the market, I keep it until the following week without charging any thing.

9406. What market accommodation is there?—There is a market for the sale of grain, potatoes, and turnips, and green crops generally, enclosed, with a market-house, and sheds, three beams and scales, and another for potatoes in an opposite shed, and a weigh-bridge. There are also small scales, where persons retailing potatoes can weigh at so much a load, if they please.

9407. What other markets?—There is a hay and straw market enclosed, with a house to cover the place where the man stands who weighs, and a weigh-bridge. There is an enclosed market for the sale of meat, but I have nothing to do with it.

9408. Is there a butter market?—Not at present; it is intended to establish one.

9409. Is there a flax market?—No.

9410. Where are the fairs held?—Upon the road. There is also a place called Smithfield, a large open space through which a road passes.

9411. Are sales of all agricultural produce confined to the market-place?—On market days they are.

9412. Is all the produce weighed in the market-place upon market days?—Corn is; but persons are not obliged to weigh potatoes there.

9413. Is there any produce sold on other days in the stores?—I think so; and at the mills about the country.

9414. Have you sufficient weighing accommodation, if every thing coming inside the market had to be weighed with you?—No; we have no wheat market; wheat is sold altogether at the stores.

LISBURN, 13th January, 1853.

647. Mr. H. J. Garrett.

9415. Why is that?—I do not know. We tried several times to get a market here, but the buyers would not attend, and wheat is always taken to the mills direct. Barley and oats are sold at the market, except what barley is sold to a brewer in the town.

9416. What is your system of weighing?—Down weight, to the pound; but I conceive one pound would bring the scale with four hundred-weight from standing beam to what we call weight.

9417. Do you tare the empty sack?—Yes.

9418. And deduct the actual weight?—Yes.

9419. Do you take any allowance for beamage?—None.

9420. Is it taken at the stores?—I am not aware; there was formerly one pound allowed upon each draught, but I think it is not the case now.

9421. Do you give a ticket?—Yes, for the gross weight; and if the sacks come back, I tare them.

9422. Do you keep a copy of the ticket?—Yes, and a book.

9423. Do you enter the tare?—No; the name of the seller and the gross weight, and put the weight of the sacks upon the back.

9424. You do not know the price?—At the last of each market I set down the price.

9425. You could not strike an average for each day?—No; I do not know the price of each load. At the last market there were 1,655 hundreds-weight; that was the large market. In some markets there might not be more than ten or eleven tons bought. Two hundred and ninety-two hundreds-weight of oatmeal was also sold the same day.

9426. Was there any sold out of the market?—Not to my knowledge.

9427. Do you sell grain here by the hundred-weight?—Yes; 112 pounds.

9428. Is the stone always fourteen pounds?—Yes; except wool, which is sixteen pounds; but I do not weigh it, if I did I would weigh it by 112 pounds.

9429. Do you receive a fixed salary?—No; I keep the receipts, and I have to pay five deputies, who weigh, and I employ porters according to the size of the market; sometimes three, sometimes four. There is one man for each weigh-bridge on market days, and one man for potatoes, and sometimes two or sometimes three craners; one of the men at the weigh-bridge can sometimes assist at the cranes.

9430. Is there an inspector of weights and measures for the district?—There is.

9431. The constabulary do not perform the duties?—I never heard of them doing it.

9432. How do you weigh in the potato market?—Exactly the same way as grain.

9433. Could you give any idea of the quantity of grain sold in the market in a year?—There were 3,195 tons of oats and meal in 1852.

9434. What quantity of wheat and barley?—I could not give any idea.

9435. Or potatoes?—I could give the number of loads weighed on the weigh-bridge, but not the quantity of potatoes in particular.

9436. Do you charge 2*d.* a load whether people weigh or not?—Yes; they may either weigh them on the weigh-bridge or in the small scales, or do both if they choose. If a man brings in eight bags of potatoes, he pays 1*d.*, and eight halfpence, that is 5*d.*, and for that he may weigh in the scales, and we will give him the small scales to retail.

9437. Why do you make a greater charge for sacks?—There is more trouble in weighing them; but if they are weighed upon the weigh-bridge, there is no greater charge.

9438. Could you give any idea of the quantity of hay and straw sold?—There were 1,588 loads on market days last year. There are only a few occasional loads upon other days, except in the season of the new hay. In the other market, upon the weigh-bridge, there were 1,620 loads of various articles weighed, but I cannot say which was hay, straw, or turnips. My gross receipts at the crane last year was £160 19*s.* 2*d.*

9439. Does the market begin at a certain hour?—Yes; at half-past ten o'clock for grain and meal; there is no regular hour for potatoes, hay, or straw.

9440. Are any articles of produce sold in the streets on market days?—Fowl and eggs, but I know nothing of them.

9441. Were you sworn?—Never.

9442. Did you receive a written appointment?—I did.

9443. How do you weigh at the weigh-bridge?—To the seven pounds. Butter is sold in the streets, in prints, and we make no charge for it.

9444. There is no market for butter?—No; but there is a man appointed by the town itself to weigh butter.

9445. Are the scales erected in the streets?—No; there are small scales carried about.

Mr. *George Briggs* examined.

648. Mr. George Briggs.

9446. Where do you reside?—A mile from Lisburn.

9447. What is your occupation?—I collect customs at the fairs for the seneschal.

9448. Does he keep the customs himself, or give them to the proprietor of the fairs?—I do not know.

9449. Where are the fairs held?—The horse fair in the streets, and the cow fair in the place called Smithfield.

9450. Is there a list of the tolls posted up?—Yes; at each gap there is a printed paper posted.

9451. What are the charges?—Every horse, mare, or gelding sold, 4*d.*; every cow, bull, or bullock, 4*d.*; every sheep, goat, or pig, 1*d.*

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648. Mr. George Briggs.

9452. Would you charge 4*d.* for a heifer?—I cannot say, I do not stand at the gap; there are generally ten or twelve men who collect the money at the gaps, and pay it to me.

9453. Would you charge for a yearling calf if you stood at the gap, or a sucking pig?—I would not.

9454. Is it left optional with you?—I think it is.

9455. What was the gross amount received by you at the last fair?—£2 8*s.* 7*d.*; and £1 6*s.* 5*d.* was paid of that in wages.

9456. Is that the average?—The average is about the same.

9457. Do you collect any other customs?—No; I believe there is a charge for standings in the market-square, collected by a man named Turner, who is allowed to do so, I believe, by the seneschal.

9458. How do you ascertain whether parties have sold the animals?—We take their words, generally; but, if we suspect them, we fetch them before a magistrate.

9459. Do you put them to any form of oath?—No; I might say "upon your word, have you bought or sold;" and if the man said he neither bought nor sold, I would take his word.

9460. Is there much difficulty in collecting the toll?—Only with certain persons, if they get a glass of whiskey in the after-part of the day.

9461. Do many evade the toll?—I think a good many, by putting the cattle out upon by-ways, or keeping them in yards, until the men are dismissed.

9462. If a man refuses to pay, what would you do?—I would take him before a magistrate.

9463. Does it lead to much fighting?—It does, sometimes; but not so much opposition and annoyance as formerly.

9464. Are your fairs improving?—I think they are. A great many people who opposed the customs formerly, are now the very best payers.

9465. Getting used to it, I suppose?—I suppose so.

9466. What value do they get in return for the toll?—None that I know of.

9467. Can you give any idea of what proportion of the cattle pay toll?—Not one-fourth; the horse fair there is not 2*s.* collected. The horses are generally sold in yards, and we have no means of knowing.

9468. Is there a fair return made of the money collected by your sub-agents?—Sometimes I am suspicious about it.

9469. What class of persons are they?—Some of them a respectable class; but only four out of the twelve receive the money. I count them decent men.

9470. Did you appoint them?—Some of them were appointed before I had it in hands.

9471. What do they get?—About 1*s.* 4*d.* a day, and, it may be, a little refreshment.

9472. Do they keep a book?—They do not.

9473. Merely put the money in their pockets and give it to you?—Exactly.

9474. Do you give the money to the seneschal?—I pay the men, and give the balance to the seneschal.

9475. Would it not be much better to provide a proper enclosed fair-green, and make every person pay coming in?—I think it would.

9476. Do you think the farmers would pay a small charge for a proper enclosed fair-green, instead of being in the streets?—I think they would.

9477. Is not the street an inconvenient place for the buyers and sellers?—I think it is.

9478. Would the shopkeepers of the town object to having the fairs removed?—Well, I believe they would.

649. Mr. John Maconsky.

Mr. *John Maconsky* examined.

9479. What are your duties in the butter market?—To weigh butter in prints.

9480. Do you superintend the egg and fowl market?—I do.

9481. Do you make any charge?—Nothing at all.

9482. Is the print butter sold in the street?—It is; there is a shed covered over.

9483. Have you beams and scales?—I have.

9484. Who pays you?—Mr. Miller.

9485. Must the butter come in even pounds?—Yes; pounds and half-pounds.

650. Mr. John Miller.

Mr. *John Miller* examined.

9486. Where do you reside?—In Lisburn. I am treasurer to the courtleet, which is held here twice a year, for the purpose of presenting for public purposes, under a patent or charter, and composed of the seneschal, ratepayers, and householders. They raise a tax, applotted in the same way and raised at the same time as the county cess, and raise, perhaps, £200 or £300 yearly.

9487. How is it constituted?—In the winter, generally of townspeople, when the presentments are connected chiefly with the town; and in summer, the farmers are summoned from all parts of the manor, and the presentments are made for small by-roads, very often aided by the farmers themselves. John Maconsky, the last witness, was appointed by the courtleet, with the concurrence of the seneschal, inspector of the butter; and there is another man, named Close, inspector of the meat market; and another inspector to prevent frauds in grain, and see that the weigh-bridge is always correct and in good order. The market was built originally by a joint grant from Lord Hertford, and from the courtleet. The county maintains all roads and even by-roads; but there are small lanes, not within the range of the county presentments, which are kept up by the courtleet. They are sworn to present for lawful things, and to leave nothing unpresented through favour, affection, malice, or ill-will.

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650. Mr. John Miller.

9488. How are they summoned?—By the seneschal, as a sheriff summons a jury; generally the highest ratepayers.

9489. Are their sessions open?—They are not; and there is an oath of secrecy taken.

9490. When a presentment is passed is it at once sent to be levied?—No; it is applotted by the applotter of the county cess, and the seneschal fiats it, and issues the warrant to collect it.

9491. How many form a court?—Thirteen.

9492. Is it levied upon the valuation of the county cess?—It is. The courtleet always exercised the power of regulating the market, and altering the fees for weighing, where it was necessary.

9493. Would you approve of a proper enclosed fair-green, and a small charge upon all cattle entering?—I would.

9494. Would you be in favour of having all agricultural produce sold and weighed in a general market?—I do not think it necessary. I think the farmers are sufficient judges of their own interest to decide whether it is convenient to go to the mill, the brewery, or the distillery.

9495 Would you be in favour of an assimilation of weights and measures all over the country?—Yes; I think it would be a great advantage.

9496. Would you be in favour of weighing standing beam, to the pound, and abolishing all deductions?—It would be a decided advantage.

9497. Would you be in favour of having the markets commence and close at a certain hour?—I think it would be a great improvement, and we endeavoured to have it carried out as much as possible. It saves a vast deal of time, and the market, in reality, does not last more than half an hour, or three quarters.

9498. Are there any complaints made here of frauds committed in private weighing?—In this neighbourhood all the larger class of farmers have means of weighing at home. There were some complaints made to the courtleet with regard to grain and potatoes.

9499. Would you have penalties for frauds upon either side to be recovered in a summary way?—They must be moderate penalties; if they were very heavy, they could not be levied.

9500. What is done with fraudulent butter seized here in the streets?—It is seized if it is represented to be weighed in pounds, and found not to be so; but there are considerable quantities of lump butter sold, which do not purport to be in pounds or half pounds.

9501. What are the powers of the inspectors?—The inspector of the grain market is directed to go through the market upon market-days; and if any dispute occurs he examines the grain and makes a representation to the seneschal or to a magistrate, who adjudicates, he giving his opinion. With regard to butter, he sees if there is any butter fraudulently packed up; and if there is he seizes it, and it is taken before the seneschal and condemned, and handed into what is called the subscription bakery, over which the seneschal has some control. I asked Mr. Gregg, the seneschal, what became of it ultimately, and he showed me an account of the quantity used by the bakery, if fit to be used, and paid for, and the proceeds were divided among the public institutions of the town.

9502. Can you give a list of the presentments by the courtleet for the last two years?—I can.

9503. Would you pay upon the order of the seneschal without a presentment?—No; but there is a sort of discretionary amount given to me which I may pay upon his order, to be afterwards presented for; and the courtleet may refuse it if they think proper.

9504. Are there fees for applotting that rate as well as for the county cess?—Yes; it was customary formerly for applotters to add the fees at the bottom of the list, but it was thought more regular to have a distinct presentment for it.

9505. What officers does the courtleet employ?—The only paid officers are the inspector and secretary.

9506. Is the secretary's salary presented for?—It is.

9507. On what valuation is the rate collected?—The Ordnance valuation.

9508. Do houses under £5 pay?—No.

9509. Do the Town Commissioners levy any rate?—They do.

Mr. *Francis O'Flaherty* examined.

651. Mr. F. O'Flaherty.

9510. Do you reside in Lisburn?—I do.

9511. Are you secretary to the courtleet?—I am.

9512. Do you receive a salary?—I do, £10 a year.

9513. What are your duties?—I summon the courtleet. A list is made out: the highest cess-payers from the country are summoned in summer time, and from the town in winter time. The country people do not care to attend in the winter, for there is only town business done. They are summoned by circular.

9514. How far does the barony extend?—I think about thirteen miles long, and between six and seven broad. A person who wishes to put in a presentment gives me notice, and that notice is prepared by me and printed. Presentments are issued through the county, stating up to what day they will be received. The 1st of April in summer and the 15th of September for winter. When the notices are printed, they are sent out to be posted, and the day for holding the court is mentioned. Then the people come in and are sworn by the seneschal; and when the presentments are passed they are entered in a book, and

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651. Mr. F. O'Flaherty.

fiated by the seneschal. The presentments are then printed in small books, and circulated among the people, who attend the courtleet; and, although I am only bound to give them to those upon the jury, I never refuse one to any person who asks me.

9515. Who applots the rate?—The applotters are appointed upon the first day in open court, and all are allowed to vote, and, after they are appointed, it becomes a close court.

9516. Are your proceedings held under any Act of Parliament?—Under a charter, as I understand.

652. William Close.

William Close examined.

9517. What is your occupation?—I am inspector of the shambles.

9518 Who appointed you?—The Grand Jury.

9519. To whom do the shambles belong?—To Lord Hertford.

9520. Does he let the stalls?—He does, to two of his clerks, who pay £20 a year rent.

9521. Is there any charge for weighing made there?—There is.

9522. Do the lessees charge for stores?—They do.

9523 By whom were you appointed?—I was appointed inspector by the courtleet, and the persons who rented the shambles appointed me weighmaster.

9524. Were you sworn?—Yes.

9525. Have you beams and scales?—Yes.

9526. What do you charge for rent?—Four-pence a stall. There is 6*d.* paid for slaughtering, but if you have three beasts the charge is only 6*d.*

9527. What is the charge for weighing?—The 4*d.* covers it.

9528. How many sheds are there?—Sixteen or 17.

9529. What is paid for these?—Some of them pay £3 a year.

9530. What part of the 4*d.* are you paid?—I get 1*d.*, and 3*d.* go to the persons who rent the place.

653. rancis Turner.

Francis Turner examined.

9531. Do you live in Lisburn?—I do.

9532. What is your occupation?—I rent the street customs.

9533. What do you pay for them?—I pay nothing. I provide timber for stalls.

9534. Who gave you the customs?—Mr. Gregg, the seneschal.

9535. What do you charge?—From 2*d.* to 5*d.*, very few 6*d.*, just according to size.

9536. You never get 1*s.*?—No; I wish I did.

9537. What do you receive in the year?—Some years it might be £30, and some not more than £20, but I think £30 the most.

9538. Do you account to any one for what you receive?—No.

9539. If a person lays down a number of articles in the street will you charge?—If a person said he would put the articles in the street in preference, as it would suit the goods better, Mr. Gregg desired me only to receive half price.

9540. What do they cost you?—On Tuesdays they cost about 4*s.* for a man to put them out and for myself. I count myself worth 2*s.*

9541. What do you charge for the street?—One penny. Some persons would rather pay it than 2*d.* for a stall.

9542. Do you keep a book?—No.

654. Mr. John Verner.

Mr. *John Verner* examined.

9543. Do you reside in Lisburn?—I do.

9544. Do you rent the meat market?—I do, in connexion with Mr. Turner.

9545. What do you pay?—Eighteen pounds a year.

9546. What accommodation do you give?—Enclosed market and slaughter house, and stalls in the street. We let the shops in the market at from 30*s.* to £3 a year.

9547. Do you charge for the slaughter-house?—There was formerly a charge of 6*d.* for every head of cattle killed; now it is only 4*d.* each stall. We charge that even to those who have shops; but they generally have slaughter-houses of their own.

9548. Does the 4*d.* include weighing?—It does.

9549. How many beasts might be killed for 4*d.*?—As many as six by the new arrangement.

9550. If a man, having a stall, did not make use of the slaughter-house, should he still pay the 4*d.*?—He should.

9551. Are you inspector of weights and measures for this town?—I am.

9552. By whom were you appointed?—By Mr. Gregg. I have no emolument.

9553. Merely honorary?—There is very little honour in it.

9554. Have you detected many false weights?—Very few among respectable people; there are some among the huxters.

9555. Have you standard weights?—Yes.

9556. How often do you inspect?—Sometimes three or four times a-year.

655. William Close.

William Close examined.

9557. Are you deputy-inspector of weights and measures?—I am.

9558. When did you inspect the market weights?—Not for, perhaps, a year or more.

John Hardman examined.

LISBURN, *13th January*, 1853.

656. John Hardman.

9559. Do you reside in Lisburn?—I do; I am inspector of the grain market.

9560. Have you discovered many frauds?—Not many. I inspect the weigh-bridge. I have nothing to do except on Tuesday; and I am sometimes called on to decide disputes.

PATENT to EDWARD, VISCOUNT CONWAY and KILLULTAGH, of the Manors of Killultagh and Derryvolgie, dated at Westminster, 3rd January, third of Charles I.—*Translated from the Office Copy.*

And further of our special grace, certain knowledge, and mere motion, for us, our heirs and successors, we do grant that the aforesaid Edward, Viscount Conway and Killultagh, his heirs and assigns, may have, hold, and keep, and may and can have, hold, and keep, a market on every Tuesday, weekly, in or at the aforesaid town of Lisnegarvey, in the said county of Antrim, for ever; and also two fairs or markets in and at the said town of Lisnegarvey, annually, and in every year, to be held for ever, that is to say, one of the fairs or markets of the said two fairs or markets annually, to begin on the eleventh day of July, and to continue for the entire of that day and two days next following; the other fair of the said two fairs or markets, to begin on the twenty-fourth day of September, and to continue and endure for the entire of that day and for two days then next following.

We will, moreover, and it is our intention, and by these presents for us, our heirs, and successors, we ordain and grant, that as often as any of the said days for holding said two fairs or marts, or either of them, shall happen to fall on Sunday, that then and so often the said Edward, Viscount Conway and Killultagh, his heirs and assigns, in place of the the day so happening on Sunday, may and can have, hold, and keep, the said fair or mart for the space of another day after the end of the said three days next following, together with a court of *pie poudre* to be held there during the continuation of the said market and fairs respectively; and that the said Edward, Viscount Conway and Killultagh, his heirs and assigns for ever, may have, hold, and enjoy, all and singular tolls, perquisites, profits, commodities, emoluments, liberties, franchises, customs, and jurisdictions, whatsoever, to the said markets, fairs or marts, and courts, or any of them appertaining or in any manner belonging; and that this our present grant of markets, fairs, and other the premises shall be in all things, and by all things good and effectual in the law against us, our heirs and successors, notwithstanding that our writ of *ad quod damnum* hath not issued before the making of these presents, to inquire what damage or prejudice the said markets and fairs or any of them might be to other neighbouring markets and fairs.

I certify the above to be a true copy.

WILLIAM GREGG, *Seneschal.*

Lisburn, January 17, 1853.

BELFAST, *14th January*, 1853.

657. John Bates, esq.

BELFAST, JANUARY 14, 1853.

John Bates, esq., examined.

9561. Do you reside in Belfast?—I do.

9562. Are you Town Clerk?—Yes; and solicitor to the Corporation.

9563. Who are proprietors and patentees of the fairs and markets?—The Mayor, Aldermen, and Burgesses of Belfast.

9564. Were they the original patentees?—No; the ancestors of the Marquess of Donegal. The Crown, by a patent, dated 20th November, 1621, in the nineteenth year of James I., granted the manor of Belfast to the ancestor of the Marquess of Donegal, together with the right to hold fairs and markets, and to appoint an assay-master and a clerk of the market. The right remained in the Donegal family until 1845, when the Town Council of Belfast obtained an Act for the improvement of the borough, and among other provisions of the Act there were several in reference to the establishment of markets. By that Act, the 8th & 9th Victoria, the Council were empowered to purchase the existing market in the borough, and also land for additional markets; but they were prohibited from establishing new markets, until they had purchased those already in existence. They were authorized to treat with the patentee for his rights, and in the event of their purchasing them, the Act fixed the tolls and dues which they were authorized to charge.

9565. Are there schedules attached to the Act?—Yes. In 1846, the Council came to an agreement with the Donegal family, and the trustees, for the purchase of all their rights, not only to the markets within the borough of Belfast, but those also within the manor; and the agreement was concluded for the purchase on the 22nd of August, 1846, for the sum of £20,500. The purchase included all the rights of every kind and description, within the borough and the manor of Belfast, and all powers and privileges incident to the markets.

9566. In fact, I suppose, the charter was transferred?—Exactly. Then the purchase having embraced something more than the Council were authorized to make—because they were only authorized to purchase all the rights within the borough, and Lord Donegal was owner of all within the manor, a much more extensive district—the Council got the purchase confirmed by an Act passed in the 10th & 11th year of Victoria, in which the purchase was recited and confirmed. There were several other parties who had minor or sub-interests in the market of the borough, under Lord Donegal, and some of them, probably, adverse

BELFAST, 14th *January*, 1853.

657.

John Bates, esq.

to his right by prescription; and the Council treated with all those parties, and bought up every right of whatever description, and are now the sole owners.

9567. What did they pay in addition?—The purchase, in some instances, included land and houses, and it would be very difficult to distinguish the precise sum. The chief item was the purchase from Lord Donegal. The act was a general improvement Act, authorizing the pulling down of houses, and other matters of the same kind.

9568. Could you give us the gross amount expended by the Corporation upon the markets?—Yes, certainly.

9569. Have the Corporation appointed a weighmaster and clerk of the markets?—They have appointed a clerk of the markets, and several weighmasters, and other officers.

9570. Were there officers of the market appointed by Lord Donegal previous to the Corporation taking charge of them?—I would find it exceedingly difficult to give a description of the markets previous to that time; I believe nothing could be in a worse state than they were. They were not under the direct management of Lord Donegal—they were managed by lessees more or less removed from his lordship, some of them having market rights derived from him, and others claiming market rights adverse to him.

9571. Were the officers of the markets continued in their appointments?—In some instances they were, but generally the whole matter was reformed. There was very little that could be continued with advantage to the public. Every thing was altered more or less, including the tolls, which were reduced. The purchase-money has been paid some years ago.

9572. Did the original charter grant certain days for holding markets?—Yes; by the borough charter of 1613, the sovereign of the town, now the mayor, was clerk of the markets within the borough.

9573. Is he still so?—Yes; the right exists.

9574. Then the present clerk of the markets is merely his deputy?—Yes, his deputy.

9575. What were the market-days?—There was a weekly market, under Lord Donegal's patent, on every Friday.

9576. How many fairs?—By one existing Act, the Council have power to establish as many fairs and markets as they think fit. There were two fairs under the charter, one in August, and the other in November. By the Act of Parliament the Council have an independent schedule besides what Lord Donegal had a right to charge, and also Lord Donegal's schedule, and his rights, whatever they were.

9577. Are both now merged into one?—The Council act upon the schedule under their own Act, generally.

9578. What are the market-days now?—We have the market open every day in the week.

9579. For all kinds of produce?—Except the retail markets, they are all open every day.

9580. Does the Act give you any power to make it compulsory to use the markets?—It does; by the 29th section of the 10th and 11th Victoria.

9581. Then it is compulsory to sell all produce in the markets?—It is, within the borough of Belfast; but a qualification was introduced into an Act passed in 1850, modifying that power, in some respects, as regards the manor.

9582. Can a person sell by sample in the country, and deliver his corn?—Questions of that kind have arisen, and decisions were given at petty sessions court, but nothing beyond that.

9583. Might a market be set up outside the borough, in the manor?—No; another market could not be established.

9584. Why?—The parties who reside outside the borough have not suffered, nor do they complain—on the contrary, I rather think we did them good; but there was some apprehension that they might hereafter suffer some injury, and they opposed the bill of the Town Council; and to meet that opposition, the qualification I spoke of was introduced. The penalty is not to any person who shall expose any marketable commodity in or near the premises of the owner of that commodity, or any person to whom it shall be offered for sale; but my opinion is very decided that that qualification would not entitle parties to establish a market. It enables them to sell produce there, which, I believe, has been very injurious to the farmers themselves. The manor is a large district, and the borough of Belfast is very confined. A great portion of the actual buildings are now outside the borough boundary. When farmers are coming into town, they are met by shopkeepers who reside upon the roads, and they get into a treaty with them for the purchase of their commodities. It is probably near the shop of the purchaser, and no doubt, under the Act they can treat there independent of all restriction. The consequence is, that there is a wish upon the part of the farmer to evade the payment of the market charges, which induces him to sell without coming into the market at all, by which he certainly avoids the payment of the toll; but he loses the benefits which would be secured to him—first, by the competition which exists in the market; and secondly, by the security in weighing, which, I hope, our markets afford.

9585. He is left at the mercy of the buyer?—He is; and it is often not of the tenderest description. I cannot say that any complaints in that way have ever come under my own knowledge; but, as solicitor to the Corporation, it has been brought under my notice, that such things repeatedly occur; and, in fact, the seller is at the mercy of the buyer in the matter of price and weighing.

9586. Is the practice of selling outside the market much followed?—It is, in a great

number of shops outside the borough, notwithstanding all the attention the Council can give to the matter. I may state that the great object of the Council in taking charge of the markets, was to establish such a moderate scale of tolls as would give value to the farmer for the payment of them; and I do believe that they have succeeded in that object; and I do not think there is any town, with the same population, where there are fewer complaints.

9587. Are the tolls made a source of revenue to the Council?—The Council have invested a very large sum of money in the purchase of the market rights, and I cannot venture to say whether it may become a source of revenue or not; but the primary object they had in view was to establish good markets, such as would induce people to resort to them for the purposes of trade, and as one great means of increasing the prosperity of the town.

9588. Does the amount received do more than pay the interest of the money expended and support the markets?—It would be difficult, without getting the actual cost, to state that. I believe the Corporation are gainers by the thing, but I cannot express an opinion now as to what extent.

9589. Would you be in favour of a general market all over the country, with proper accommodation, and efficient staff, where it should be compulsory to sell and weigh all agricultural produce?—My opinion, most decidedly, is that it would be for the benefit of the sellers that all should be compelled to resort to one place: it would create competition, and be the fairest system for the honest farmer, and the honest trader. The evil we have to deal with is, that the desire to evade the payment of a very small toll, induces persons to sell where there is not adequate competition, or adequate protection.

9590. Would you be in favour of having the charge in such markets no more than would support them and repay the actual outlay?—Yes, I think, as regards the smaller towns, it would be a very good principle.

9591. Would you be in favour of an assimilation of weights and measures all over the country?—I think there is no object of more importance; and there is no evil connected with the management of buying and selling of greater magnitude than those arising from the diversity which exists over Ireland in weights and measures.

9592. Would you be in favour of weighing to the pound, standing beam, and abolishing all deductions?—I am most decidedly, as an individual, in favour of it; as an officer of the Corporation, I express no opinion, because I do not feel that it is their province to interfere between buyer and seller, but, as an individual, I certainly consider it ought to be put an end to. The Town Council, as owners of the markets, do not recognise any deductions in that way; I know the people here of all classes would like to see them abolished. It is a fictitious mode of dealing, and a fictitious price, and, I think, the correct way would be to have a fixed uniform system, and abolish it altogether. The merchant might pay less without these allowances, probably, than with them, but their abolition would prevent the possibility of frauds; and I have no doubt that the merchants of the town are all anxious to have a fair uniform system carried into effect. I believe that in the grain trade the system has been discontinued here; and, as regards the provision trade, provided it were made compulsory, I do not think there would be any hesitation or disinclination upon the part of the merchant to adopt the system. As an officer of the Corporation, I may say that I have found the merchants, in my intercourse with them, exceedingly anxious to aid in the establishment of our markets, and to forward every thing calculated to improve them; and I do believe you will find them as ready as any individual in the community to adopt any system which may be generally deemed advantageous and uniform.

9593. Would you have the limits of each market defined in any general measure?—I would; and put an end to the system of forestalling, which is now practised here, as I have stated, and the mischief of which is that the honest dealer does not go out to intercept the farmers; but it is invariably the man who wants to get some advantage over the honest dealer, and to buy upon terms more favourable to himself than he could in the open market, where there is competition. The Town Council never insisted on a prosecution where the sale was at a remote distance, from which it would be very inconvenient for parties to come in. They have felt that, although they had certain powers, they ought not always to exercise them.

9594. What is the extent of the manor?—In some directions, about three or four miles; and the narrowest part, about half a-mile.

9595. Would it not be very desirable to obtain, in all public markets, the proper statistics of the country, instead of having them collected, as at present, by guess-work?—It would be very important, and quite practicable: I think you would find the statistics and returns of this market very correct, and well worth investigating.

9596. Would it not be desirable to have the fairs always held in an enclosed fair-green, and removed out of the streets?—Decidedly; it would.

9597. Do you think parties would object to pay for proper accommodation?—Some persons would object to pay, no matter how good the accommodation; they are always more sensible of the payment than they are of the advantage; but, I believe, they are gradually becoming quite satisfied of the benefits here. In Smithfield market here they are still obliged to sell a portion of the produce in the street, from not having got power to enlarge that market: the Council sought to enlarge it, but they were opposed there.

9598. Are all the markets now held in enclosed places, the property of the Corporation?—They are.

9599. Do they pay rent for any of them?—They pay head-rent in one or two places.

9600. Have they leases for ever?—For very long terms; there were cases where they

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bought the rights of private proprietors, and succeeded to those rights. There is, indeed, only one market so circumstanced—the Castle market; the rest are all their own, held in fee. There is a portion of land attached to one market, for which the Council pay rent, but they are negotiating for the purchase of it.

658. Mr. Francis Rea.

Mr. *Francis Rea* examined.

9601. Do you reside in Belfast?—I do.

9602. What is your occupation?—I am clerk of the markets under the Mayor, appointed by the Corporation.

9603. Is it a yearly appointment?—I should rather say, during good behaviour, and at the pleasure of the Council.

9604. What are your duties?—To superintend the markets, and the collection of the tolls, and see that they are properly returned and accounted for to the Council.

9605. Do you receive the tolls?—They are paid into my office by the collectors.

9606. Who appoints the weighmasters?—The Market Committee appoints them, and I make it a particular rule, not to recommend any officer acting under me to the Market Committee.

9607. What market accommodation has the Council at present?—The Castle market, established in August, 1847—a retail market, for green crops and fish; a grain and meal market, established in September, 1847; a pork market, established in December, 1847; a market, called "Grange market," for fruit, butter, cheese, eggs, and poultry, established in January, 1848; Smithfield market, for hay and straw, and articles in general, established in February, 1848; a cattle market, for the sale of black cattle, pigs, calves, and goats; a horse market, in the Fair-green; a flax and fruit market, established in 1848; a market for firkin butter, established in May, 1848; a monthly fair, for horses and black cattle, established in 1848; another retail market, established in 1849; and Police-square market, for flax, straw, and grass, established in 1852. The potato market was first established in 1847, in Police-square, and was removed to its present position in February, 1851.

9608. Are these markets open every day?—They are; but the principal market is on Friday; Monday and Wednesday are also good markets, but there is no day equal to Friday.

9609. Can you mention the number of persons employed in different capacities at the markets?—I should say, by a rough guess, from forty to fifty, some of them only employed two or three days in the week; but I can furnish you with a list, giving every man's name, occupation, and wages.

9610. Are they all paid fixed salaries?—Yes; either weekly wages, or quarterly and yearly salaries.

9611. Are all the receipts handed in to the Corporation?—They are.

9612. Do you keep the accounts?—Yes; with an assistant.

9613. Can you state the gross receipts of all the markets, including rent and every source of emolument?—In 1852, the gross receipts were £6,888 7*s.* 10*d.* I am in possession since 1847, and in three minutes I could put my finger on any account, no matter how trivial, furnished to the Market Committee, for any purpose, whether expenses connected with the repairs of the market, weekly wages, or salaries, from that year up to the present day.

9614. Do you pay the rent upon the one market when it is paid?—The Market Committee pays it, and it appears in the accounts.

9615. Does the interest upon the money expended in the purchase and repair of the markets appear?—I do not know any thing of that; it belongs rather to the treasurer, or the town clerk.

9616. Do the markets commence at a certain hour?—The pork market commences at eight o'clock, and closes at ten; the other markets are limited to a certain hour, but none of them close so soon.

9617. Are the returns made weekly?—Yes; our week closes upon Wednesday night, and every collector is bound to furnish me every evening with a ticket, with an account of the money received, and, where it is for hay and straw, he is bound to return the number of loads of each.

9618. I suppose you could make out very correct market returns?—I can see no difficulty, with reasonable care; returns are furnished by me to the newspapers. Our weighmaster keeps a book in which he enters the name of the seller, the number of bags he weighed, the weight of each bag, and the price; as a general rule, the seller tells him the price; and each evening he furnishes me with a ticket, stating the number of bags and the highest and lowest price.

9619. If there were 100 barrels at 10*s.*, and only one at 9*s.*, would you not be likely to call 9*s.* 6*d.* the average price?—For all purposes of ours it is sufficient.

9620. Are tolls paid in the markets?—Yes; the toll is taken by the weighmaster, after he has weighed the produce, and he furnishes a pass-ticket, stating the number of bags, in addition to the ticket of the weight.

9621. Suppose a farmer brings in a cart of corn with ten sacks, how is the weighing arranged?—He enters and sets it down in the place appropriated; he cannot sell before a specified hour, and up to that hour the weighmaster and his assistants are engaged in weighing and marking the bags with chalk.

9622. Is there any extra charge for weighing?—No.

9623. What are the tolls?—Having the right to take either the schedule of the Act 8 &

9 Vic., or to fall back upon the custom of the Marquess of Drogheda, in most instances we preferred taking the scale in use, or reducing them more by the old custom than the new Act; for instance, with reference to potatoes, if we charged what is stated here in the schedule, it would make an enormous thing; for every quantity not exceeding one bushel, 2*d*., and every additional half-bushel, 1*d*. Another part of the schedule goes on to state, that every charge for stores shall be paid by every occupant, so that a person entering the market at all becomes liable to pay toll per day; the effect of which would be to cause a charge of 4*d*. per hundred-weight, whereas we only charge ¾*d*. per hundred-weight.

9624. Is there storage in the market?—There is; but it must be paid for. When we take corn in charge we are responsible for it, and therefore we must be paid; and there is another reason also, in order to facilitate sale: for a good many farmers, if the market prices of the day did not please them, and if they had gratuitous storage, would constantly leave their corn stored after the market.

9625. What is the charge?—One penny per bag each night; we do not wish to encourage storage of corn at all.

9626. Is all the agricultural produce sold in the town confined to the market-place?—No; they smuggle a good deal of it outside the borough boundaries.

9627. Is all within the borough boundaries taken to the public market?—No; there are numbers of parties who would rather travel a mile and a-half skulking round the town to evade the payment of 1*d*. or 2*d*., than go to the market at all.

9628. What class of persons are they?—They sell butter and eggs, and sometimes potatoes and meal. I have had prosecutions for all these articles.

9629. Do you take any notice of any thing sold in the manor?—Yes, we have; but the number of prosecutions has been very trifling compared with the breaches of the law within the borough; in point of fact, the reason was this:—Under the former nominal proprietor of the markets, there was really no such thing as accommodation of any kind, and there never was such a thing as a wheat market established until the Town Council did so. There was a spasmodic effort made to establish it at Smithfield, but it failed; and a great portion, indeed the greater portion, of the wheat, and a large quantity of the oats, were principally sold on what was called the Long Bridge, in the county Down; and if a farmer did not sell his corn there, he generally had to hawk it from store to store until he found a purchaser.

9630. What has generally been the result of your prosecutions?—I think I am able to say that the Council might have prosecuted in six cases for every one where they did prosecute; and I think I am further able to say, that all those cases were so glaring that they almost invariably obtained a conviction. The maximum penalty is 40*s*., and the sentences varied from caution and discharge up to that amount.

9631. Were you ever beaten?—No; I think not.

9632. Has a weighmaster been appointed for the entire market?—In the grain market there is one whom I look upon as the chief weighmaster, but he has no particular control over the other weighmasters; every man is responsible for his own acts.

9633. Are the tolls paid by the buyer or by the seller?—Generally by the seller. The local Act authorizes the toll to be demanded from any person occupying, or using any market, or bringing therein any marketable commodity.

9634. But they are generally levied from the seller?—Yes.

9635. Is it so in regard to cattle?—It is.

9636. Is the toll paid upon entering the market?—It is.

9637. Both at fairs and markets?—Yes.

9638. Would you take the articles if the toll is not paid?—Yes.

9639. Are the weighmasters sworn under the 4th of Anne, c. 14?—No; that Act has not been incorporated with our local Act at all. They are liable to heavy penalties for fraud of any kind, but they are not sworn.

9640. Have you a sufficient number of beams and scales to weigh all the produce coming into the town?—I think so.

9641. Would you have sufficient if all were to weigh with you?—At certain seasons of the year I think not; but we have room to put up such a number of beams and scales, that the farmer might leave, even in the winter season, by daylight. The object of the Council is to afford all reasonable facilities and protection; and, I am sorry to say, that in some instances, they are not able to afford all the protection that parties require. There are in all market towns a certain number of low, fraudulent dealers, who try to live by making bargains with unsuspecting countrymen, who do not know them from respectable parties. I am very happy to say, for the credit of the town, that the description does not apply to any man in Belfast who has the least pretensions to respectability.

9642. Could you tell what proportion of the produce is weighed in the public scales?—The greater proportion of grain and meal, turnips, carrots, and mangel-wurzel. Beet-root seldom comes in in loads. A lesser proportion of potatoes—in fact, not half—is weighed in the market.

9643. What is the proportion of pork?—The fat pigs are seldom weighed, because neither the merchant nor the seller wish to give them the additional tossing, after having travelled forty or fifty miles, that would be given to them in the scales; and as the provision jobbers understand each other, the merchant prefers that the jobbers should take the pigs to the stores, and weigh them there. Of the farmers' pigs, not more than three-fourths are weighed in the scales.

9644. How do you account for the farmers not weighing, when there is no extra charge?—There are various reasons. Parties must bring their pork into the market very early,

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Mr. Francis Rea.

and must be in their places before eight o'clock, or they will miss the sale; and then, when he has sold, the farmer is weary and exhausted, and glad to get away. We allow them the choice of going out of the market and coming back, any time up to one o'clock, and if they show the buying tickets they have got from the merchants, they may weigh their pigs.

9645. If it were necessary that all the produce should be weighed in the public scales, would you provide such accommodation that the farmers could get away early in the day?—Certainly.

9646. Do you think the parties who evade the tolls consider them to be excessive?—I suppose they do; but I can certify, that where they save 2*d.* by not coming to the market, it generally costs them 1*s.*

9647. If every thing were weighed in the public market would the additional receipts pay for the extra accommodation?—No, we would undoubtedly lose by it, but that would not interfere, however, with our providing the accommodation.

9648. When the farmer arrives in the market does he take his produce direct to the shed?—He does.

9649. Does he take off the cart himself?—Generally, and if he does not, there are licensed porters in attendance, whom he may or may not employ.

9650. Are they provided with barrows?—They do not require barrows; we employ parties with barrows.

9651. Do these porters force themselves upon the farmers?—I never heard that they did; if they did, the farmers could get it at once redressed, for we would not employ any parties who did so.

9652. What is their charge?—Not exceeding three bags, 1*d.*; and the highest charge that they can make is 2*d.*

9653. May the farmer make a special agreement with them?—He may get it done for a halfpenny if he can.

9654. Would you allow him to bring in strange porters off the streets?—No, but he may bring as many of his own men as he chooses.

9655. Do many persons employ these porters?—A good many do.

9656. Is the corn sold or weighed first?—It is all being weighed up to the hour fixed for selling. The rules regarding the hours of selling were adopted at the request of the merchants themselves, and of the principal portion of the farmers; and I believe neither will disagree with me in saying that a strict adherence to the rules has been found very serviceable.

9657. By whom were they framed?—By the Committee for Markets, and submitted to another committee called the Bye-law Committee, and notices given in the newspapers; the business of the Council is done principally by the Council being divided into Committees, and the Market Committee is one of these.

9658. Of how many does it consist?—Twelve, including the chairman, and they have no interests, as individuals, in these rules, except for the benefit of the buyers and sellers who frequent the markets; all the acts of the different committees must be sanctioned by the Corporation at their monthly meeting.

9659. Does the sale commence by ringing a bell?—It does; a different hour is laid down for each kind of grain.

9660. The corn is then weighed or not, as the farmer chooses?—Just so; when it is being weighed, the clerk takes down the number of sacks, and the entry is made in the book and in the ticket, and also chalked upon the sack, to prevent confusion; and if a man sells a load in two or three different divisions, and chooses to acquaint the weighmaster, he will give him a separate ticket.

9661. Do the porters you employ wheel up the corn in barrows from where it is deposited to the scales and back again?—They do.

9662. Who marks the sack?—The scaleman who puts in the weights and calls out.

9663. When the corn is weighed, the ticket is made out?—Yes.

9664. Does it specify the price and the seller's name?—Only the seller's name and the date; sometimes the price of the gross weight.

9665. Do you weigh it to the pound?—Yes, with a cast.

9666. Not lying on the ground?—No; I have been thinking over what you have been speaking of in other places, weighing standing beam; I think it would involve an amount of precision and loss of time far more injurious to the farmer than any thing he would gain.

9667. Would you throw out one pound standing beam?—Yes; I will at once admit that in the hurry of weighing, perhaps if more time were taken there might be one pound more in favour of the farmer, but the intention of the Council is that nothing more than a turn of the beam should be taken.

9668. Are there any deductions made under the name of beamage?—Nothing of the kind.

9669. Either at the market or the merchants' stores?—I do not know the practice at the merchants' stores, but I believe there is no deduction made, except the weight of the sack.

9670. In the event of a copy of a ticket being required, could the weighmaster give it?—He could, five years hence.

9671. The transaction is finally closed at the merchant's stores?—It is.

9672. It cannot be closed in your market?—No, we do not make up the price, or deduct the weight of the empty sack. I may state that when beamage was abolished in the grain

market, a number of merchants adopted resolutions declaring their right to buy a certain number of pounds, and put out notices that they would buy by one hundred and thirteen pounds; we made out the ticket by one hundred and twelve pounds, and they deducted one pound to the hundred; I am informed, however, that so far as regards the grain market the system, of their own motion, has fallen into disuse.

9673. Is your pork market enclosed?—It is, and there is a weighing shed, and a schedule of tolls posted up, and the toll is paid on entering, altogether for the use of the market; the market commences at eight o'clock by ringing a bell, but the pork is in very soon after seven.

9674. Do the buyers purchase by one hundred and twelve pounds?—They purchase by one hundred and twenty pounds; but I know nothing of the rule of the pork.

9675. Is there sufficient accommodation to weigh without delay?—There is.

9676. If there was more required, would you be willing to provide it?—Yes, and upon an average, the weighing in the pork market, except upon Friday, would be all over at half-past ten; on Fridays it has been as late as twelve o'clock, but never later.

9677. How many beams and scales have you?—Two, in the pork market.

9678. What is your system of weighing?—If the farmer chooses to go out without weighing, he can; if not, they are all filed into a string, and the man who sells earliest generally gets the best price; and if he sells quick, he has a chance of not being kept ten minutes in the market; we can weigh one hundred and twenty carcasses in the hour.

9679. Each person then takes his turn?—Yes, and very particular attention is paid to enable every man to get a fair turn.

9680. Have you any porters employed in the market?—Yes; and our charge of 2*d.* a pig covers all expenses; we have a weighmaster and a scaleman to each beam, and three porters to each scale, at the expense of twenty-seven shillings for the three; six porters in all.

9681. What is the duty of the porters?—To take the pigs carefully off the cart and put them into the scale, take them out again and put them upon the farmer's cart.

9682. Is the system of weighing pork the same as corn?—It is.

9683. Have you any thing to do with the closing of the transactions?—No.

9684. You give the ticket for the exact weight by hundreds-weight, quarters, and pounds?—Precisely.

9685. What kind are the merchants' tickets?—They state that they are purchasing by one hundred and twenty pounds, and I think they state that they take off eleven pounds for tret, and some of them mention, in addition, that they charge 2*d.* for porterage.

9686. Is there any greater deduction made than eleven pounds on a wet day?—No, I think not.

9687. How do you weigh butter?—It is precisely the same system; just a turn of the beam, and we weigh to the half pound.

9688. Do you deduct any thing?—Nothing.

9689. Do you tare the empty firkin?—I have nothing at all to do with that; but there is a peculiarity here, connected with the branding of the firkins, which the Town Council, at the request of the farmers and merchants, have taken up; the Council have adopted the following scale of branding the firkins: a firkin weighing five and a half pounds to be branded six; a six pound firkin, no brand; it must be made heavier.

9690. Why?—It would not be fair to the buyer to brand it six pounds, and seven pounds would be too much; six and a quarter pounds branded seven; six and a half branded seven; seven pounds no brand; seven and a quarter, and seven and a half, eight pounds; eight pounds, no brand; eight and a quarter, and eight and a half, branded nine; nine pounds, no brand; nine and a quarter, and nine and a half, ten pounds; ten pounds, branded eleven; eleven pounds, no brand; eleven and a quarter, and eleven and a half, thirteen pounds; twelve pounds, thirteen; twelve and a half, fourteen pounds.

9691. By whom are they branded?—By the officer of the Corporation.

9692. Are all the firkins sold in Belfast brought to your market and branded?—No.

9693. What is the charge for branding?—One halfpenny a firkin for branding and weighing, and it is a dead loss to the Corporation. I understand the merchants pay for overweight on all firkins which have the brand of the Council on them.

9694. What is overweight?—Over seventy pounds.

9695. Do they give a preference to these branded by the Council?—They do.

9696. How are hay and straw weighed?—Hay and straw, and all articles weighed on the weigh-bridge are weighed to the seven pounds.

9697. Is the system the same in the potato market?—Yes.

9698. Do the Scotch potatoes come to market?—We had great trouble in bringing them to market; we give the sellers the choice of two markets, but we could not get them to come there, and they set up a small market in sheds upon the quay, but we taught them that they could not sell there, and then they retreated to their ships, but we brought them to the petty sessions' court, and I had the pleasure of convincing the magistrates that a ship was not a shop, and getting two or three penalties against them.

9699. If corn comes in coastwise going to certain stores?—We cannot interfere with that.

9700. Do you weigh flax?—Yes, when required; and I weigh it by the same system.

9701. You do not weigh by the sixteen and a quarter pounds?—I do not acknowledge it at all.

9702. In all the places where you weigh do you weigh upon the same system?—Yes,

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all to the pound, except upon the weigh-bridge, and only require a cast of the beam. I think the flax market is generally confined to the mill. There are two kinds of stores for flax—one sixteen and a quarter pounds, and the other twenty-four and a half pounds. I have seen buyers' tickets which contained both, and the parties came and complained that where they thought they were selling by the sixteen and a quarter pounds, they found when they came to examine the tickets they found it was bought by the twenty-four and a half pounds.

9703. Have you known many frauds in that way?—I have not, but two or three cases came under my notice within the last six weeks.

9704. Of what nature?—In one of the cases the party told me that the buyer refused to allow him to take his cart and horse out of the market until he consented to go to the store to deliver. I felt it my duty to tell the buyer that he had no legal right, and I said to the man, "There is the gate, take away your flax, if you like."

9705. At fairs and markets is there a charge for standings?—There is.

9706. Would you be in favour of having all articles weighed in the public market?—I would.

9707. Have you ever heard of frauds practised in weighing at the private stores?—I have, a long time ago; I have heard several cases, where potatoes were taken by what is called the word, and afterwards found to be deficient, and I am astonished that persons so often fall into this error, when there is no charge at the market for weighing.

9708. Would you be in favour of an assimilation of weights and measures all over the country?—Undoubtedly.

9709. And having the markets commence at a certain hour?—Certainly; we have set the example. I would be in favour, for the sake of the farmer, of having all agricultural produce, of whatever description, sold in no other place than the public market. Whether the farmer sells by sample or in any other way in any other place, he is sure to be victimized.

9710. Would you be in favour of having all agricultural produce weighed to the pound, standing beam, and abolishing all deductions?—Just so; I would hold that whatever was in the weighmaster's ticket, unless it could be proved that there was a mistake or fraud, should be paid for to the last pound.

9711. What would you consider the best system?—I think by the hundred-weight.

9712. Would not by the stone be simpler?—If it became customary, I think it would be just as little trouble. I think it immaterial, but it would be for the benefit of both parties that there should be some uniform system adopted.

9713. Would it not be a great advantage to be able, in such a market, to collect the proper agricultural statistics of the country?—Without doubt it would.

9714. Would you have the officer at the head of each market empowered to arbitrate between buyer and seller in case any dispute should arise?—It would be an advantage, but here the Council appoint inspectors of provisions.

9715. Does this salary come into the market charges?—No doubt it does; but they are officers paid for discharging other duties.

9716. Would you be in favour of removing the fairs out of the streets into properly-enclosed, and well-drained fair-greens?—Most certainly; I cannot conceive any thing more annoying or discreditable than the system which has been previously carried on. I wish to bring under your notice the present Summary Jurisdiction Act, and the clause which gives the magistrates only the power to decide in cases of dispute where the value of the article amounts to £5, where, under the same Act, the same magistrate has a jurisdiction, in cases of not near so much importance, up to the value of £50. I think they ought to be intrusted with a jurisdiction at least up to £20.

9717. Would it not be an improvement, in place of having £5 the value of the article, to have it the value of the fraud attempted?—It would; in cases where there is a dispute about a load of wheat upon a horse, the magistrate can never adjudicate, for the value of a load of wheat is always over £5. I think, too, it would be for the benefit of buyer and seller that the magistrates should, as often as possible, in such cases, grant a summons upon sight.

15th *January*, 1853.

Mr Francis Rea.

JANUARY 15, 1853.

Mr. *Francis Rea.*—I hand in the accounts of the market, which you requested me to furnish.

[ACCOUNTS.

BELFAST.
15th January, 1853.

658.
Mr. Francis Rea.

RETURN of the Amounts and Values of the principal Articles Sold in the Wholesale Markets of Belfast, for the last three years, respectively.

1850.

Description of Produce.	No. of Loads, Bags, or Packages.	Average Weight per Load, Bag, or Package.	Total Weight.	Average Price per Load, Cwt. or Lb.	Total Amount.
		cwts. qrs. lbs.	cwts. qrs. lbs.	£ s. d.	£ s. d.
Wheat,	36,007 Bags.	2 2 27	98,697 3 1	0 8 0½	39,684 14 5
Oats,	50,503 ,,	2 1 14	119,944 2 14	0 5 8	33,984 6 2
Oatmeal,	21,202 ,,	2 1 21	51,679 3 14	0 9 8¾	25,140 2 1
Potatoes,	30,108 Loads.	7 3 10	236,025 0 24	0 3 8½	43,763 0 2
Turnips,	5,842 ,,	9 0 0	52,578 0 0	0 0 8	1,752 12 0
Vegetables,	6,820 ,,	—	—	0 3 6	1,193 10 0
Pork,	127,270 Carcases.	1 1 7	167,041 3 14	1 17 11	316,683 11 1
Upland Hay,	8,488 Loads.	12 1 0	103,978 0 0	0 2 5¾	12,888 18 9
Meadow Hay,	4,214 ,,	12 1 0	51,989 0 0	0 1 9¼	4,603 3 10
Carrots,	501 ,,	7 0 0	3,507 0 0	0 1 10	321 9 6
Butter,	53,859 Packages.	—	12,571 2 2	0 0 7¾	45,467 0 1
Oat Straw,	4,016 Loads.	11 1 14	45,687 2 21	0 1 5	3,236 4 2
Wheat Straw,	1,338 ,,	11 1 14	15,225 1 21	0 0 10¾	681 19 5
Barley,	4,389 Bags.	2 2 2	11,050 3 14	0 5 4	2,946 18 0
Beans,	3,243 ,,	2 3 4	9,034 0 8	0 5 10	2,634 18 9
Peas,	235 ,,	2 1 14	558 0 18	0 5 1	141 17 3
Rye,	157 ,,	2 1 0	353 1 0	0 5 4	94 4 0
Flax,	985 Loads.	5 0 0	4,925 0 0	2 12 6	1,298 2 6
Fruit,	2,078 ,,	8 0 0	16,624 0 0	0 6 8	5,541 6 8
Bogwood,	1,324 ,,	—	—	0 7 9	513 1 0
Turf,	6,604 ,,	—	—	0 3 9	1,238 5 0
Grass,	5,303 ,,	—	—	0 6 8	1,767 13 4
					545,576 18 2
Horses, Cows, Pigs, Sheep, and Calves,					70,000 0 0
Eggs, Poultry, Print and Lump Butter (George's Market),					40,000 0 0
			Total,	£	655,576 18 2

1851.

Description of Produce.	No. of Loads, Bags, or Packages.	Average Weight per Load, Bag, or Package.	Total Weight.	Average Price per Load, Cwt. or Lb.	Total Amount.
		cwts. qrs. lbs.	cwts. qrs. lbs.	£ s. d.	£ s. d.
Wheat,	20,824 Bags.	2 3 0	57,266 0 0	0 8 3½	23,741 10 7
Oats,	43,530 ,,	2 1 7	100,663 0 14	0 5 10½	29,569 15 10
Oatmeal,	19,456 ,,	2 1 16	46,555 1 20	0 10 10½	25,814 10 3
Potatoes,	27,441 Loads.	8 2 0	233,248 2 0	0 3 9	43,734 1 10
Turnips,	6,074 ,,	9 0 0	54,666 0 0	0 0 7½	1,708 6 3
Vegetables,	9,049 ,,	—	—	0 3 6	1,583 11 6
Pork,	125,832 Carcases.	1 1 6	164,031 0 0	1 15 6¾	291,667 12 5
Upland Hay,	8,502 Loads.	10 2 0	89,271 0 0	0 2 7	11,530 16 9
Meadow Hay,	4,251 ,,	10 2 0	44,635 2 0	0 1 9½	3,998 11 11
Carrots,	484 ,,	7 0 0	3,388 0 0	0 1 11	324 13 8
Butter,	42,825 Packages.	—	14,535 3 29	0 0 8	54,267 9 6
Oat Straw,	4,394 Loads.	10 2 0	46,137 0 0	0 1 3¾	3,027 14 9
Wheat Straw,	1,464 ,,	10 2 0	15,372 0 0	0 1 0	768 12 0
Barley,	1,778 Bags.	2 2 0	4,445 0 0	0 6 0½	1,342 15 2
Beans,	2,426 ,,	2 3 0	6,671 2 0	0 6 1½	2,043 2 11
Peas,	172 ,,	2 1 14	408 2 0	0 5 10¼	119 11 5
Rye,	102 ,,	2 1 16	269 2 8	0 5 6	74 2 7
Flax,	1,637 Loads.	5 0 0	8,185 0 0	2 16 0	22,918 0 0
Fruit,	1,654 ,,	8 0 0	13,232 0 0	0 6 9	4,465 16 0
Bogwood,	1,310 ,,	—	—	0 7 10	513 1 8
Turf,	5,969 ,,	—	—	0 3 7	1,069 8 11
Grass,	6,983 ,,	—	—	0 6 8	2,327 13 4
					528,110 19 3
Horses, Cows, Pigs, Sheep, and Calves,					74,000 0 0
Eggs, Poultry, Print and Lump Butter (George's Market),					42,000 0 0
			Total,	£	644,110 19 3

BELFAST,
15th *January*, 1853.

658.
Mr. Francis Rea.

1852.

Description of Produce.	No. of Loads, Bags, or Packages.	Average Weight per Load, Bag, or Package.	Total Weight.	Average Price per Load, Cwt. or Lb.	Total Amount.
		cwts. qrs. lbs.	cwts. qrs. lbs.	£ s. d.	£ s. d.
Wheat,	20,831 Bags.	2 3 12	5,917 0 16	0 9 0	26,782 14 3
Oats,	48,347 „	2 1 0	113,097 1 22	0 6 3	35,342 18 10
Oatmeal,	22,741 „	2 2 1	57,055 2 5	0 10 3½	29,359 16 6
Potatoes,	26,074 Loads.	8 3 0	228,147 0 0	0 3 7	40,876 6 9
Turnips,	4,744 „	9 0 0	42,696 0 0	0 0 8	1,423 4 0
Vegetables,	6,820 „	—	—	0 3 6	1,193 10 0
Pork,	135,952 Carcases.	1 1 15	188,451 1 8	1 17 6	353,346 4 6
Upland Hay,	8,482 Loads.	13 0 0	110,266 0 0	0 2 0¼	11,141 9 2
Meadow Hay,	4,241 „	13 0 0	55,133 0 0	0 1 5	3,905 5 1
Carrots,	369 „	7 0 0	2,583 0 0	0 1 11	247 10 9
Butter,	36,330 Packages.	—	15,672 1 26	0 0 7⅝	55,767 18 3
Oat Straw,	4,383 Loads.	10 2 0	46,021 2 0	0 1 0¼	2,349 0 3
Wheat Straw,	1,461 „	10 2 0	15,340 2 0	0 0 8½	543 6 2
Barley,	1,820 Bags.	2 2 0	4,540 0 0	0 6 3	1,418 15 0
Beans,	3,683 „	2 3 1	10,161 0 15	0 6 9	3,429 7 7
Peas,	129 „	2 1 18	310 3 26	0 6 3	97 3 7
Rye,	83 „	2 3 13	237 3 15	0 5 10½	69 17 7
Flax,	2,834 Loads.	5 0 0	14,170 0 0	2 14 3	38,436 2 6
Fruit,	3,164 „	8 0 0	25,312 0 0	0 7 0	8,859 4 0
Bogwood,	1,191 „	—	—	0 8 0	476 8 0
Turf,	4,852 „	—	—	0 4 1	990 12 4
Grass,	4,643 „	—	—	0 6 8	1,547 13 4
					617,604 8 5
Horses, Cows, Pigs, Sheep, and Calves,					80,000 0 0
Eggs, Poultry, Print and Lump Butter (George's Market),					45,000 0 0
			Total,	£	742,604 8 5

Approximate Cost of Markets, and of Property purchased for Markets, including a fair proportion of Parliamentary and other Costs, within the Borough of Belfast under local Acts.

	£ s. d.	£ s. d.
Smithfield Market:		
Marquess of Donegal,	16,660 6 8	
Thomas Verner, Esq.,	3,600 0 0	
		20,260 6 8
Montgomery's, now Castle Market:		
Messrs. Montgomery,	2,108 6 7	
Gibson and others,	965 0 0	
Hardell,	1,330 5 5	
		4,403 12 0
George's Market:		
Executors of Bruce,	5,000 1 0	
Sundry small interests,	52 15 0	
		5,052 16 0
Ormond and Butter Markets:		
Wyse,	1,541 7 8	
Trustees of Tennent,	863 4 6	
Henderson,	1,987 11 8	
Sundry small interests in adjoining streets,	1,302 3 0	
		5,694 6 10
May's Market, Trustees of S. May,	7,659 19 11	
May's fields, „ „	7,683 3 3	
May's Dock,	991 1 0	
		16,334 4 2
Purchase of chief rents of May's Market and fields,		1,861 13 4
Cost of formation, and subsequent improvements,		19,683 13 5
Proportion of all costs,		22,708 8 9
		£95,999 1 2

David Porter, *Police and Borough Accountant.*

Belfast, 31*st December*, 1852.

BELFAST,
15th January, 1853.

658.
Mr. Francis Rea.

An Account of the Receipts and Expenditure of the Town Council of Belfast, for the Market Fund, from the 1st January till the 31st December, 1851, inclusive.

Receipts.

	£	s.	d.	£	s.	d.
From Smithfield Market,	1,144	2	3½			
From Pork Market,	1,292	5	3			
From Butter Market,	452	2	0			
From Potato Market,	1,074	15	0			
From Castle Market,	474	8	4½			
From May's Market,	1,043	14	11			
From George's Market,	452	12	3½			
From Cattle Market and Horse Fair,	354	12	10			
From Flax and Fruit Market,	152	16	4½			
From Ormond Market,	247	12	2½			
From Bogwood and Turf Market,	96	1	4			
From May's-quay and fields,	269	13	3½			
				7,054	16	2
Interest allowed by Treasurer,				46	13	11
Total Receipts,				7,101	10	1

Expenditure.

	£	s.	d.	£	s.	d.
Salaries:						
Francis Rea, Clerk of the Markets, one year's salary,	175	0	0			
James Spratt, assistant to do. do.,	65	0	0			
				240	0	0
Wages to market patrols, weighmasters, &c.,				1,412	10	4
Taxes and rates,				238	3	6
Gas-light,				47	18	2
Stationery,				91	3	6
Printing,				18	3	3
Insurance,				17	3	3
Repairs,				11	19	4
Miscellaneous,				38	19	9
Rent:						
For 12 months' rent of May's fields, to 1st Nov., 1849,	802	15	10			
For 12 months' rent of Castle Market, to 1st Nov., 1850,	203	8	9			
				1,006	4	7
Total Expenditure,				3,122	5	8
Balance lodged to credit of Police Fund,				3,979	4	5
				£7,101	10	1

(Signed,) Francis Rea.

An Account of the Receipts and Expenditure of the Town Council of Belfast, for the Market Fund, from the 1st January till the 31st December, 1851, inclusive.

Receipts.

	£	s.	d.	£	s.	d.
From Smithfield Market,	1,260	7	5			
From Pork Market,	1,134	18	6			
From Butter Market,	382	9	0½			
From Potato Market,	997	10	8			
From Castle Market,	517	1	3½			
From May's Market,	813	11	7½			
From George's Market,	543	1	0½			
From Cattle Market and Horse Fair,	335	1	1½			
From Flax and Fruit Market,	140	17	4½			
From Ormond Market,	251	2	9½			
From Bogwood and Turf Market,	99	13	1			
From May's-quay and fields,	202	14	2½			
				6,678	8	2
Interest allowed by Treasurer,				65	4	0
Total Receipts,				6,743	12	2

Expenditure.

	£	s.	d.	£	s.	d.
Salaries:						
Francis Rea, Clerk of the Markets, one year's salary,	175	0	0			
James Spratt, assistant to do. do	75	0	0			
Carried forward,				250	0	0

BELFAST.
15th January, 1853.

658.
Mr. Francis Rea.

	£	s.	d.	£	s.	d.
Brought forward,				250	0	0
Wages to market patrols, weighmasters, &c.,				1,295	7	11
Taxes and rates,				223	18	10
Gas light,				60	12	3
Stationery,				50	9	7
Printing,				37	8	7
Insurance,				16	18	0
Repairs,				71	1	10
Miscellaneous,				56	1	5
Rent:						
For 18 months' rent of May's fields, to 1st May, 1851,	1,200	2	0			
For 12 months' rent of Castle Market,	199	10	0			
				1,399	12	0
Total Expenditure,				3,461	10	5
Balance lodged to credit of Police Fund,				3,282	1	9
				£6,743	12	2

(Signed,) FRANCIS REA.

An ACCOUNT of the RECEIPTS and EXPENDITURE of the TOWN COUNCIL of BELFAST, for the MARKET FUND, from the 1st January till the 31st December, 1852, inclusive.

RECEIPTS.

	£	s.	d.	£	s.	d.
From Smithfield Market,	1,325	10	0			
From Pork Market,	1,353	16	3			
From Butter Market,	326	9	7			
From Potato Market,	961	14	7			
From Castle Market,	523	10	10½			
From May's Market,	900	8	1½			
From George's Market,	433	4	11½			
From Cattle Market and Horse Fair,	308	8	10			
From Flax and Fruit Market,	270	19	6			
From May's-quay and fields,	195	7	1½			
From Bogwood and Turf Market,	67	12	7			
From Ormond Market,	221	5	11			
				6,888	7	10
Interest allowed by Treasurer,				57	19	11
Total Receipts,				6,946	7	9

EXPENDITURE.

	£	s.	d.	£	s.	d.
Salaries:						
Francis Rea, Clerk of the Markets, 14 months' salary, from 1st Nov., 1851, to 31st Dec., 1852,	204	3	4			
James Spratt, assistant to do., 14 months' salary, from 1st Nov., 1851, to 31st Dec., 1852,	92	10	0			
				296	13	4
Wages to market patrols, weighmasters, &c.,				1,368	2	8
Taxes and rates,				239	17	3
Gas-light,				76	6	7
Stationery,				55	4	1
Printing,				19	1	6
Insurance,				16	18	0
Repairs,				27	17	7
Miscellaneous,				63	15	11
Rent:						
For 18 months' rent of May's fields, to 1st Nov., 1852,	1,203	19	10			
For 12 months' rent of Castle Market, to 1st Nov., 1852,	204	15	0			
				1,408	14	10
Total Expenditure,				3,572	11	9
Balance lodged to credit of Police Fund,				3,373	16	0
				£6,946	7	9

(Signed,) FRANCIS REA.

BELFAST, 15th *January*, 1853.

658.
Mr. Francis Rea.

There was some conversation here yesterday about weighing, and I mentioned to you that the weighing in the pork market did not extend beyond twelve o'clock; I said this in order to put the extremity of the case before you. Now I have taken an extract from the book used in the pork market, for the last week, including Friday, the 7th, and Friday, the 14th,—Friday being always the day when the longest time is occupied: Friday, the 7th, the weighing closed at half-past ten o'clock; Saturday, the 11th, nine; Monday, ten minutes past ten; Tuesday, forty-five minutes past eight; Wednesday, twenty minutes past nine; Thursday, ten minutes past nine; and yesterday, forty minutes past ten. The men employed have nothing to do after that but to sweep the market.

9718. You could not transfer your staff from one market to another?—No; for all is going on at the same time.

Robert Murray examined.

659.
Robert Murray.

9719. Where do you reside?—Nine miles from this—in the county of Down.

9720. Do you wish to make any statement regarding the markets?—Yes; I brought in twenty-nine stone of flax yesterday, at twenty-four pounds each, and sold them at 12*s.* 1½*d.* a-stone to Mr. Stewart; I fetched it down about ten o'clock, and backed my horse into the store; he weighed five or six stone of the flax, and said they were all light; I said I knew they were too heavy; he was weighing them in little ounsels, hanging by strings, and I said they ought to be weighed with fourteen pound and seven pound weights, which I could understand; I then took the flax to the public market, and weighed every single stone, and they all weighed down weight; I then weighed them in three draughts, by the hundred-weight, allowing two pounds to every hundred-weight, and they weighed twenty-one pounds over—the weight I got was six hundred-weight, one quarter, seventeen pounds; I took them back to Mr. Stewart's store; he asked to see the ticket, and I gave it to him; he refused to take it by the market weight, and said he should get it by bundles, just as it stood; I would not give it; and the market was over then; so that I had to put my flax into a store, and I will have to take it back to the market next Friday morning.

9721. Did the buyer want to cut them in price?—He said they were a half pound light on every stone.

9722. Are two pounds deducted off every hundred-weight of flax?—It is weighed gross in the market, but the merchants deduct it.

9723. Is that deduction made when you sell by the stone?—It is not.

9724. Have you ever heard complaints before regarding the system of private weighing?—I have, sometimes.

9725. Would you, as a farmer, approve of having all produce sold and weighed in the public market, under the superintendence of sworn inspectors and weighmasters?—Yes; I would rather have the price less, and be paid for 112 pounds weight.

9726. Do you sell pork?—I do.

9727. Do you consider the arrangements regarding the selling of pork satisfactory?—I would be very glad that some arrangement should be made which would let us be paid for 112 pounds weight, and let the price be made to meet it.

Mr. *William Woods* examined.

660.
Mr. William Woods.

9728. Where do you reside?—In Glasgow, at present, but I formerly lived here; and I still have land here belonging to me.

9729. Do you sell in this market?—Yes; grain and pork.

9730. Do you sell flax?—I only sold flax once.

9731. Do you consider that the system of weighing grain is fairly conducted in this market?—I do, generally speaking, but there is some tediousness in the weighing of pork; when I was buying here, there was a certain tediousness, and our horses felt the effect of it; but, I believe, generally speaking, the delay is not great now.

9732. Do the merchants weigh the corn over again when you take it to the stores?—Some do, and some do not.

9733. When weighed over again, do the weights generally agree?—Generally.

9734. Is any charge made by the merchant for porterage?—Not with regard to corn.

9735. Is there any reduction made in the shape of beamage, or any thing else of the kind?—Not latterly, at least with the very large majority of the respectable merchants; there may be with some of the lower class.

9736. Do they make any charge?—No.

9737. Do they weigh the empty sack, and deduct the actual weight?—Yes.

9738. Do they pay for odd pounds?—They do.

9739. For every pound?—Yes.

9740. Have you ever heard of frauds practised in private weighing?—I have.

9741. Do they weigh here by the hundred-weight?—They do; but it was not formerly the case.

9742. If four, or five, or six pounds came out when the ticket is made up, is it paid for at the same rate as the hundred-weight?—Latterly it is, at the very same rate.

9743. Do you think the charges reasonable in the public market?—I do not know that they are very unreasonable, when taken at so much per bag; but when you examine into the emoluments which the Council derive at the end of the year, perhaps they might reduce the charges; as I understand that public markets are not for the purpose of making a revenue for those who own them, but for the public use.

BELFAST, 15th *January*, 1853.

660.

Mr. William Woods.

9744. Are you aware what the markets in this town have cost?—Whatever the amount, a fair per centage should be paid, and then the tolls reduced, in proportion as the revenue increases.

9745. Do you think the system of weighing corn in the merchants' stores, generally, a fair one?—Well, I think it is; but, however, I would like to see all deductions abolished. When the Council got possession of the market, and required that all articles should be weighed by the legal standard weights, the merchants came out with a resolution emanating from the trade, that in future they would only buy corn by the 113 pounds. Then the potato hucksters, and others of that class, adopted a resolution that they would only buy by the 114 pounds; and the provision merchants resolved that they would only buy pork by the 120 pounds; and it was only by the combination of the trade in that way the farmers were overcome.

9746. When did the corn merchants agree to give up the one pound beamage?—It was after cases were tried here at the sessions, and convictions took place. Prior to the opening of the markets by the Town Council, there were exactions made upon grain and potatoes; in grain, two pounds to the bag taken under two or three hundred-weight; and in the pork, deducting eleven pounds off every pig up to a certain weight, the eleven pounds being hung at the end of the beam where the weights were placed. As soon as the Council got possession of the markets, it was then the resolution I spoke of was put forward by the different traders. It was only when I succeeded in getting a decree for the eleven pounds on pork from the barrister here—because the eleven pounds were not in the ticket, or the 2*d.* porterage—that then they altered the ticket, either to comply with the law or to evade it. The pork merchants then came out with a number of resolutions. We complained, for instance, that in selling sows, there was a reduction for what are called bellies; the practice was to buy the sow in the market at so much; but when we came to the store, the servant cut off so much of the belly, and pitched it into the weights at the other side. I may remark, that we calculated upon getting a decree, not only for the eleven pounds, but for the eight pounds which made up the 120 pounds; and the argument put forward, which satisfied the barrister, was the word "multiple" in the Act, that they had the right to purchase any number of pounds having the multiple of 112 pounds. It was upon that word the case was decided against me. My object, and that of the farmers, was to test the question; and to show you that it was not for the value of the article I never put the decree into execution, which I obtained, as I have stated. I also sold a pig, and had a witness to prove that I sold it by the hundred-weight, and I did not take a ticket. The buyer said, "wait until you get your ticket," but I refused to take any ticket. Unfortunately, he paid for the full amount, and prevented me from having an opportunity of trying the question, and I handed him back the difference between 112 pounds and 120 pounds, to show that I had no desire to make by the transaction.

9747. Did the Council take any part in these proceedings?—None, whatever.

9748. Did they not commence certain prosecutions?—Not for that purpose. With regard to the butter trade, the practice of the merchant was to fix the price they would give, and put it upon a board, nailed to the wall of the Belfast butter market. It was only when the merchants themselves fell out, with regard to the purchase of butter, that the farmers succeeded in getting some little competition. When I went to the person who took the tolls at the market, and asked the price, I recollect his saying, "Perhaps you would get $\frac{1}{4}d.$ a pound more to-day, for they have had a quarrel."

9749. When was the society of farmers established?—About the 1st of June, 1848.

9750. Were you ever able to carry out their resolutions?—Never; the trade were combined against us, and if we would not sell to one buyer, the others would not look at us.

9751. Did you ever attempt to carry them out?—We did; but the result was, as I have said, that when you brought butter into the market, and brought it to one buyer, if you did not sell to him, the others would not look at it. The farmers were most anxious to have an open market, not only that they might have competition there, but, as there was easy access from Liverpool, Manchester, Glasgow, and other places, that persons might come over here to compete. It is not long since the Council opened the second market, and the moment it was opened, the merchants resolved that they would not attend it, but would continue to buy by the old practice.

9752. Did any of the farmers try the second market?—They knew the buyers would not purchase there. It would be a great advantage not only to the farmers, but to the grocers in the town if they had an opportunity of purchasing at that market. The grocers now cannot buy from the farmers, but must buy second-hand from the merchants. In consequence, however, of the combination among the trade, the farmers could not take it there. We always maintained that a public market would be the greatest advantage to the farmers and recommended it in every case. The practice of the trade is, that the person who purchases butter, prices it himself, and it is expected that the first person who prices it, will get it.

9753. Is there no butter inspector?—Not for a number of years.

9754. Does the buyer decide upon the quality and fix the price?—He does. The buyers have a regular fixed price, and it is in a very rare case that it is altered in dealing with the farmers. What we recommend is, that in place of butter being sold at the stores, the farmer should have an opportunity of exposing it, so that if one person would not purchase it, another would, and there would not be any risk that they might not sell it at all, if they did not agree with the first party.

9755. Would you be in favour of having it made compulsory for all firkin and crock

butter coming into town for sale, to be sold and weighed at the public market, and have it inspected and weighed before sale by sworn inspectors and weighmasters?—That is clearly my view, and I will be able to read you a resolution to that effect. According to the old system, the butter was classed by first, second, and third. The first required to be of one colour the whole firkin or crock, and of the best quality and flavour. The second might be of two colours, but equal in quality. Now my opinion is, that butter, instead of being classed in that way and having a deduction made, should be described as being of two colours, but a good flavour, and have a ticket to that effect put upon the firkin, so that any person would know what it was, and in place of $\frac{1}{2}d.$ a pound being taken off, there would, probably, be only a $\frac{1}{4}d.$

9756. Do buyers pay for over seventy pounds of butter?—They do in some cases, and others do not. I believe a good deal depends upon the appearance and intelligence of the individual the buyer has to deal with. They deduct one pound upon crocks up to fifty pounds, and over that, two pounds, beside the deduction for the weight of the crock itself.

9757. Would they take two pounds off a crock of fifty-one pounds?—They would.

9758. Do they make a deduction upon firkins?—Yes, two pounds; and it was in order to meet the excuses which the merchants were constantly making—that the farmers over-marked their firkins—that it was resolved to have them inspected and branded by the Town Council, in whom, I believe, the trade and the farmers both had confidence.

9759. Do they weigh butter to the half pound?—They do, to please the farmer, but they never are paid for it.

9760. Then the farmer may lose one pound?—He may.

9761. Do the buyers then deduct two pounds and the actual tare?—Yes.

9762. Do they make any charge for cooperage, or any thing of that sort?—Nothing of the kind; we pay for the firkins, of course. I brought three crocks of butter to the market, after it was resolved to sell only by the hundred-weight, and I sold by the pound-weight, without reduction. It was the regular weight. I refused to submit to the deduction of two pounds a crock, and the buyer refused to pay unless I did so. There being no summary jurisdiction for settling disputes, the matter stood over for some time, and I processed the party at the quarter sessions, and got a decree, which decree I never could execute, as the party sailed to America, and took the price along with him.

9763. If the firkins exceed seventy-four pounds, will the seller be paid for the odd pounds?—I am not aware of the practice here, but I believe he will. In consequence of the resolutions, and my remarks coming out publicly, the Marquess of Downshire and his tenants thought the matter of great importance, and a meeting was held at the Plough Hotel, Belfast, when it was agreed to hold a meeting at Hillsborough, which was held accordingly. A trial took place here in a case where a merchant bought a quantity of wheat sent in by Lord Downshire, and gave a ticket with the words "113 pounds to the hundred-weight;" and the magistrates at once decided to fine him in the sum of £5. I can hand to you a list of the gentlemen and farmers of three counties who approved of these resolutions. The Committee was dissolved, owing to a difference of opinion at the time of getting the Improvement Bill.

9764. Perhaps you would now tell us what you complain of at the present time?—My wish is that there should be one universal system, not confined to Ireland, but extended to the three kingdoms; for if you refer to the papers of Glasgow or of Liverpool, you will find the same difference of system there. In the pork market, at present, the buyers deduct eleven pounds off each pig, and 2*d.* porterage, and buy by 120 pounds.

9765. What is the 2*d.* porterage supposed to cover?—It is intended to cover the carrying of the pig to the store, but in reality it covers a great deal more.

9766. Does not the farmer generally deliver the pig himself?—He does. I have myself delivered it, and paid the 2*d.* porterage.

9767. Do they deduct more than eleven pounds on a wet day?—I never heard that they did here.

9768. Did you ever hear of the merchants bringing the weight from short into long hundred-weight, so that the farmer will lose one pound more?—Not in this market. There is one matter connected with the dealing in pigs which dissatisfies the farmer. At present, after the pig is sold, the person appointed by the Council tries them. He does not try them all, and we think, and we have a resolution to that effect, that it would be conducive to a regular mode of business, and prevent disputes between buyer and seller, to have the pigs all inspected before they are offered for sale.

9769. Would you be in favour of having a sworn inspector?—Yes; or inspectors, if necessary, belonging to the market. When the pig went to the stores the farmer met a man at the gate with a large knife to cut the pig for the purpose of inspection, and sometimes the farmer would give him the price of a glass, or 6*d.* or 1*s.* perhaps, to prevent him from going too deep with the knife. We do not like to have the inspecting done by an interested party at all; but we should like to see it confined to the public markets. Where there is an honest merchant we often find that he has a dishonest man. Again, it is not long since the merchants had been in the habit of putting forward, in the beginning of the season, a notice as to the best mode of killing the pigs. In the last notice I saw it resolved that if the farmers continued to secure the pigs by cords, they would inflict a fine upon each pig. In reference to the Summary Jurisdiction Act, I would make one remark. I sold a load of grass at a fair here, and I could not get the party to pay the money. I called upon Mr. Treacy, the magistrate, to have him brought up at once. Mr. Treacy told

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660. Mr. William Woods.

me it was the practice of the court to issue a summons in the first instance, and in consequence of not getting the man brought up at once, I lost the price of the load of grass, and had to pay the expense of a warrant. Again, I sold a load of hay in another market, and I had to come again before Mr. Treacy, and I urged upon him to have the man brought up. Mr. Treacy said he would not be dictated to by me, and that he would comply with the rules laid down. Then if the value of the article is over £5, you have no remedy but to wait until the sessions; and if the party you sold to be a dishonest person, he may go away and take your property to England or Scotland, and you can do nothing, although perhaps the value of the amount in dispute might not have exceeded 5*s*. I am of opinion that such matters should be settled upon the day when they occur, for it is inconvenient for the farmers to come again.

9770. Do you think £5 ought to refer to the amount in dispute, and not the entire value of the article?—Clearly so; and I think there should be a qualified man to be able to explain to the magistrates where any difficulty arises with regard to the matter in dispute.

9771. Do you think the farmers, generally, would object to pay a small charge for good accommodation?—No, I think they would be quite willing to do so.

9772. Would you be in favour of weighing all agricultural produce standing beam, to the pound, and abolishing all deduction?—Most certainly. At present if you take up the Belfast papers, the prices quoted are not the real prices. The market note handed in from the Town Council itself does not show the actual price. It is a deception upon the public, and I think the real prices ought to be known in every instance.

9773. Would you be in favour of obliging the officers in charge of markets to prepare, regularly, authentic statistical returns?—Certainly.

9774. Would you have the markets commence at certain stated hours, by ring of bell?—Decidedly, and let the magistrates, farmers, and persons in trade, arrange what the hour should be in each market. I may remark, in reference again to jurisdiction in cases of dispute in the markets, that the causes of these disputes are not generally known until after the magistrate's court has risen; and it would be necessary, in order to meet such cases, that some person, such as the Mayor, should be appointed, who could be appealed to at once; or a person could be appointed to take charge of a certain number of fairs and markets, and let him attend there at particular hours, and let a magistrate wait with him.

Mr. *James Stewart* examined.

661. Mr. James Stewart.

9775. Do you reside in Belfast?—I do.

9776. Do you buy flax?—Yes; I have to say in reference to a statement which has been made here by Robert Murray, that I told him, when I went to his cart to buy flax, that I only bought by the stone. He made a statement about a pound of flax he lost that day week, and said he would sell by the hundred-weight. I repeated that I only bought by the stone of twenty-four and a half pounds, the half-pound being for tare.

9777. There is no mention of the half-pound in your ticket?—That is a mistake of the printer; I never bought flax by twenty-four pounds. Then when this man came back he wanted me to quit paying another man for flax, in order to take in his flax; I would not do so, and he got into a great passion. When I had finished, I said, "throw in your flax now," and he said he would take it somewhere else and get more for it. I said, I would make him give it to me; and he said he would not, and went out of the yard.

9778. He said that six or seven stone were weighed by you in an ounsel, and that those very stones which you refused as light, were each three-quarter pounds too heavy when weighed in the public scales down weight?—I did not refuse them; I merely complained of them being light. When he came back I asked for the ticket of the weight in stones, and he had none. and I said I would not take them by the hundred-weight.

9779. Are your ounsels correct?—I have found them correct with every other person's flax.

9780. Would you pass twenty-four and a-half pounds standing beam?—I would.

9781. When he brought the flax back, and you found it was heavy, why did you not take it?—I offered to take it by the stone.

9782. If he had given you the flax the second time he came, he would have lost six and a-half pounds, besides the half-pound on every stone?—It might have been damp.

9783. What difference would it have made to you whether you took it by the hundred-weight or the stone?—It is not the custom with me to take it by the hundred-weight.

9784. Would you have taken it the first time if he had left it?—I would.

9785. Would you have given him the full price for each of his bundles?—I would.

9786. One thing is quite clear, that your ounsels are perfectly wrong—I do not know what he may have done in going to the crane. He may have changed the flax.

Mr. *James Fowler* examined.

662. Mr. James Fowler.

9787. Are you a member of the Farming Society at Hillsborough?—I am.

9788. Do you consider the regulations in the grain trade here satisfactory?—I do.

9789. Would you object to be obliged to make use of a properly-arranged public market?—I would not.

9790. Do you think the farmers, generally, would object?—They would not; but to such a clause as was attempted to be brought in by the Belfast Improvement Act, which would oblige parties to take the grain past the millers' doors into Belfast, get it weighed there, and take it back again, which would be very injurious. In several instances, parties out two or three or four miles have been fined for selling potatoes.

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662.
Mr. James Fowler.

9791. Would you be in favour of removing the fairs out of the streets to enclosed fair-greens?—I think it would tend much to the safety of the inhabitants of the town.

9792. Do you think the farmers, generally, would object to pay a small toll for a good standing?—I think they would pay a small toll; but the system of putting power into the hands of a common bailiff to swear parties is a most pernicious one. That system is still pursued at one place.

9793. Is that at Lisburn?—It is.

Mr. *John Campbell* examined.

663.
Mr. John Campbell.

9794. What is your occupation?—I am a pork merchant.

9795. Do you concur in the opinions of the previous witnesses?—There were some exaggerations; and, if I may be allowed to say it, mis-statements, which I wish to rectify. Our mode of purchasing pork is not, as it has been described, a novel system. It has been inherited from I do not know how many generations, and it is perfectly well known that the trade purchase by 120 pounds. I have seen the opinion of counsel, which stated that there was nothing illegal in purchasing by any multiple of the pound, and, therefore, the trade continued to do so. With regard to the subject of tare, that is a matter in which there is more difficulty; however, I think it is perfectly clear what the origin of the tare was. On the opposite coast of Scotland, the farmers kill the pigs themselves, and take them to the market town deprived of the head and feet, like a carcass of beef.

9796. Would it not be better for the farmers here to cut them off and sell them separately?—The merchants have often taken that into consideration. In the same way with the custom of 2*d.* a pig porterage. The trade at first was in a very small compass; and, doubtless, it was removing the pig off the countryman's cart, when perhaps there were only ten, fifteen, or twenty pigs purchased in a day, which was not very extravagant. If you had seen the operation of removing the pigs off the cart, you would perhaps admit that a person accustomed to it, would do it much more effectually, than an unskilled farmer's servant. As to the deductions, I have always seen the weight put into the corner of the scale, although Mr. Woods described them as being concealed in a bag, so that, for all the farmers knew, they might have been fourteen pounds. Mr. Woods stated in his evidence, that when the present Council took possession of the markets, the butter and pork merchants joined in a conspiracy to put 120 pounds upon the ticket for the first time. Now, the fact is, that that form of ticket was in use since the time an opinion was received from counsel, and was continued in use, and when the Council gave the full weight in their ticket, we deducted the tare. That course was followed until 1848, when Mr. Woods, in the name of Mr. Coates, brought an action against the Messrs. Sinclair, for buying by the 120 pounds. The action was defended, and, of course, as might be expected, it was decided that we had a right to buy by the 120 pounds; and, also, in favour of the legality of the custom of 3*d.* a pig; but the question as regarded the eleven pounds tare, which was not included in the ticket, was decided in favour of Mr. Woods. Our counsel, Mr. Ross Moore, told us that we could obviate all difficulty by entering the amount in the ticket. The provision merchants of the town felt that the resolutions adopted at the meeting, declaring the deductions to be illegal, were an imputation upon their character, and a certain spirit of opposition was engendered. If the farmers had treated us something more in the spirit of gentlemen, and in a friendly manner, asked us to change the mode of buying, they would have been met in a proper spirit; but, in place of that, they dragged us into courts of law, and endeavoured to blacken the character of the merchants of the town. After we had defended ourselves in courts of law, before the opening of the new season, the farmers sent a request to the merchants to meet them on a deputation. Lord Downshire's agent was present, and Mr. Lindsay, and an explanation was entered into, and both parties broke up with a better feeling towards each other. Our deputation reported to the meeting, and the trade was decidedly in favour of some change, for we all admitted that the contract was both intricate and complicated, but it was thought, after the manner in which they had been treated by the farmers' committee, that was not the time to make the change, more particularly as we had done nothing illegal. I would have no objection at all to a change in the form of the contract, and I know that the opinion of the principal merchants of the trade is, that if the law makes any system general, it is a matter of perfect indifference to them. There were some members of the trade who thought it an advantage to have the quotations higher than other places, but it was not my opinion; I think it perfectly absurd. In order to put ourselves out of the power of litigation, we passed a resolution to pay for odd pounds under the quarter of 120 pounds, at the same rate as the whole, which had not been the custom previously in the trade. There were one or two points which Mr. Rea mentioned, regarding market accommodation, to which I wish to allude. We have to express our thanks to the Council, for their general disposition to meet us; but the amount of accommodation provided in the pork market is not such as to warrant high eulogium being passed upon it.

9797. What do you complain of as insufficient?—It is partially enclosed, but without any protection whatever from the weather. The buyers and sellers are completely exposed to the storms of rain which we have had this winter, and this has driven many buyers from the market.

9798. Do you consider that there is sufficient weighing accommodation?—What are called farmers' pigs are almost altogether weighed there; and I think if there were protection from the weather, that the farmers could hardly expect the Council to do more for them. The dealers' lots are hardly ever weighed in the market. The dealers do not sell until half an hour after the farmers' market commences; and, at the present rate of tolls,

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663. Mr. John Campbell.

which the Council has thought fit to levy upon dealers' lots, they consider quite out of proportion to the comforts conferred. Some years ago the charge was only 1*d.* upon dealers' lots, and it was subsequently raised to 2*d.* a pig, and 3*d.* is charged for the farmers' pigs. The dealers think that too high; and the result is, that many of them deliver at the merchants' yard, without going to the market at all. I know from one of the most extensive dealers that if the charge were reduced again to 1*d.*, it is more than probable they would all come back to the market.

9799. Would it not be a great advantage, that in a public market you could obtain proper agricultural statistics?—It would be a matter of the utmost importance to have accurate returns of that kind. The present officer of the Corporation has given every satisfaction to the farmers with regard to inspection, and, with very few exceptions, has given satisfaction to the purchasers. The mode of inspection requires some explanation. A great many farmers have three or four or five pigs in a cart, which they bring packed up and bolstered with straw to please the eye, and it is impossible that any man, or half a dozen of men, could inspect them properly in the market. The merchants agreed, some years since, that in case of any thing being discovered in the yards, which had escaped the public inspection in the market, the inspector should be sent for, and he invariably came down and inspected them where he had a better opportunity of doing so than at the public market. The rule established was that if, upon re-inspection, the inspector said there should be no reduction, his decision was at once assented to; but if he thought fit to alter his first opinion, and considered, upon re-inspection, that the merchant was entitled to a reduction, it was immediately settled by the mutual consent of the buyer and the seller. It was also recommended by the merchants that the farmers, when they knew that a pig was measly or defective, should point it out in the public market, and have the price fixed, so as to obviate any disagreeable feeling which might arise afterwards. As to fixing the price of measled pork, that must entirely be left to mutual contract; no rule could be established which would bind both parties.

9800. Would you be in favour, if it were made a general law, of abolishing all deductions, and paying the farmer for the exact quantity he has, of course regulating your price accordingly?—I think the simpler the contract is made the better for all parties, and I think every change ought to be made uniform over the three kingdoms, and not confined to Ireland alone.

664. Mr. John Smith.

Mr. *John Smith* examined.

9801. Do you reside in Belfast?—I do.

9802. Are you in the butter trade?—I am. There is one great grievance here of which I have to complain, that is regarding the empty casks which are made by what are called country jobbers, who live five, ten, fifteen, or twenty miles from Belfast, which we generally find to weigh two or three pounds more than is branded upon them, and by which we have suffered very serious losses. I have, myself, shipped butter, upon which, in the course of ten days, I would have to allow an average of one and a half pounds upon one hundred and fifty firkins, and that is a very serious loss. In the summer months, when the butter is extremely soft, we cannot turn it out to ascertain the tare. Another matter which prevails here very much is this—if I say to any farmer that I will strip his butter, he will say, "if you do, I will never sell to you again." I have known sellers take the butter off to country markets, rather than stand the test of justice.

9803. Are the two pounds you deduct supposed to cover that?—I think it is for loss of weight in the butter, for it may be correct in the morning, and the next day be one pound less; and in summer I find that the firkins lose a great deal.

9804. What are the firkins generally branded?—Fourteen pounds.

9805. Do you pay for over seventy pounds?—We do for all branded by the Town Council, which is the only honest brand.

9806. Do you give a preference to those branded by the Town Council?—Decidedly.

9807. Would the not paying for more than seventy pounds make up for the super tares?—I do not think it would; for the farmers know how to weigh at home, and only just make them seventy pounds, and two pounds beamage.

9808. Would you be in favour of having all firkins branded before sale by some officer of the market?—Yes, if there were any Act passed relating to these matters; the firkins should be all branded by the officer, with the proper allowance for soakage, which would be one and a half pounds, or one and three-fourth pounds.

9809. Would the allowance for soakage laid down by the Town Council be a fair one to adopt?—I think they are too liberal upon the side of the farmers. I re-tared some casks here, and found one, which was perfectly dry, branded fourteen pounds, to weigh fifteen pounds, exactly. I may say, also, that I have sometimes weighed firkins from the farmers, of which the lids alone weighed five pounds. It was to meet the cry got up about beamage that we consented to comply with the wish of the Town Council, provided they would only brand firkins which were dry and good; but many firkins are made of flour staves and American ash staves, which soak entirely too much.

9810. Would you be in favour of having butter inspected by sworn and competent inspectors?—If it were the law, I would be in favour of it.

9811. What protection is there that the merchant will qualify his butter fairly?—The farmer may take butter to any one else if he does not like the dealings of a merchant.

9812. But if the firkin be tried several times, is it not an injury?—If the farmer finds the butter injured, he will not suffer it again. I have been buying for the last thirty years, and

I find no objection of the kind. The merchant, however, would acquiesce in any regulation of the kind, if it were made general; but there are a great many crocks and lumps which could not be inspected.

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664. Mr. John Smith.

9813. Do you consider the trade in such a satisfactory condition here as to require no change?—I do not say that. The farmers can sell at the different places all round, and every one can buy and sell as he pleases; but if the farmers found that their firkins were severely inspected and reduced, then they would turn to crock butter and open packages.

9814. Would you be in favour of having all butter inspected and weighed before sale?—Yes, I would; because it would release us from all trouble in bringing the trade to the respectable standing which it ought to have.

9815. You would not object to buy in a general market?—Certainly not. There have been remarks made in this court as regards the butter trade acting in a manner not consistent with the character of men of honour and integrity. Now, as regards the liberality of the farmers, I have pressed them very much to patronize the Town Council firkins, and even offered an inducement of 6*d*. a firkin more, and yet I have known them, in more than twenty instances, to go and buy private brands.

9816. Are not all the deductions of different kinds calculated to make one party try and take in the other?—I could not say that. We have many very honourable and respectable farmers here, but there is no fixed system, and it would be difficult to establish one. For instance, some parties here, and I, to put an end to the system of beamage, agreed to buy the butter net, and the farmers turned round and would not sell to us, because we had to reduce the butter $\frac{1}{4}d$. in the pound, to meet the loss of the beamage. We were losing all our trade, and had just to come back to the old system. We never entered into a resolution not to go to the new market, for we would compete with any man, in any form or place. The spirit of competition is so great that the farmers are often too well paid. I would prefer, if I were guaranteed honest casks, to take the butter without beamage. The coopers leave the casks in such a state, that when brought to England, two pounds or three pounds are often taken off them, and the purchasers there prefer crock butter.

9817. Will crock butter fetch a higher price?—It will, if carefully kept.

9818. How does Belfast butter rank at the other side?—It does not come into the market, for this reason: the choice butter of Belfast is ordered direct by commission agents, and we adopt nearly all our own private shipments. We have one complaint against the Council, that they weigh too fine, and that it is entirely in favour of the farmers; the scales formerly were eight inches from the ground, and we got down weight; now if it touches at all it is weight; and the scales are not so high. The party who receives the greatest justice is the seller.

Mr. *John Greene* examined.

665. Mr. John Greene.

9819. Do you reside near Belfast?—I do. There are great complaints among the farmers of the country. I do not know if the system is followed in Belfast, that when butter is taken out of the crock, and the crock weighs eleven and a quarter pounds, twelve pounds are charged upon it; any broken part of a pound is always charged as one pound; if the butter, when put into the crock weighs thirty-nine and a half pounds, there is only thirty-nine pounds given; and twelve pounds taken off, and a reduction of two pounds. Then, the tare formerly was seven pounds upon a pig, and it stood a good many years at that, until it came on to nine pounds; it stood there some years, and now has got on to eleven pounds. The farmers complain very much of that, as a great grievance; they do not accuse any of the respectable merchants of Belfast, but they complain very much of the system, and wish to have it altered. There are also great complaints about the trial of pigs for smelling, and such things, and the deductions in price. As to porterage, there was always porterage; but I suppose when it was first charged, it was difficult to have the pigs carried. We would wish for an uniform system of buying everywhere, and to have every thing bought by fourteen pounds to the stone, and eight stone to the hundred-weight.

9820. You would abolish all deductions but the actual tare of the empty sack or firkin?—Certainly.

9821. And have an assimilation of weights and measures all over the country?—Yes.

9822. And a general market for the sale of all agricultural produce?—Yes; and if it could be extended through the three kingdoms it would give great satisfaction.

9823. Would you object to being obliged to go to such a market, and to pay a small charge to support it?—Certainly not.

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666. Mr. A. H. Thornton.

Mr. *Arthur Hill Thornton*.—I wish to say that the public are very great sufferers here, from the bread not being made all of one size; and the most respectable bakers in the trade have requested me to convey their wishes to you, that it is their desire, if it comes within your province, that you should recommend to have the law so modified as to cause bread to be made of one uniform size—two pounds, four pounds, and eight pounds—as in other places; and let the prices vary. A great many cases of fraud have come before the Market Jury, where small loaves are made up and sold at 4*d*., and then again sold by the huxters and shopkeepers for 6*d*.

9824. You think there ought to be an uniform system of dealing; that the price ought to vary, but the weight be always the same?—Yes; and the most respectable bakers are of the same opinion. The Bill of the late Sir Michael O'Loghlen is defective as

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Mr. A. H. Thornton.

regards bread; it requires bakers to keep weights and scales, but there is not a standard weight. You can insist upon the bakers weighing and showing you the exact weight, but that is all; and I do not believe that alone was the intention of the Act. There is another matter of vast importance, that is, the inspection of provisions, and of weights and measures. There seems to be an opinion prevailing, that if they are inspected in the market it is sufficient. Now, I have inspected weights and measures largely in this town, and I say they never can be inspected properly and efficiently but by visiting the shops, and stores, and wherever goods are made up for sale, and examining the goods, and condemning them if they are fraudulently or illegally weighed, or unwholesome and unfit for use. Milk here is much inferior to what it is in other places. The inspection ought to go much farther than it does. Another matter which I consider of great importance is the necessity of preventing persons from setting up places for purchase at a distance from the town. We looked after cattle and pigs here very carefully, to prevent unsound meat from being brought in; but the jurisdiction only extended three miles, and people went beyond that and bought it, and brought it into Belfast.

9825. Is not three miles a fair extent for the limits of a market?—I think seven miles would be a very good and rational extent, as laid down by Blackstone, the third of a day's journey. I wish, also, strongly to impress upon you the injury done by selling goods upon the highways: when people go out there to purchase, they do not go to serve the farmers, but to defraud them; and the object of the Farmers' Committee was to render the buyer, as well as the seller, liable to be fined for breaking the law in such cases. We consider that a person should be free to buy or sell at his own manufactory or premises; and we would give all the liberty which is necessary—for instance, a flour miller, like Mr. Hunter, of Dunmurry, living within the manor, but four miles out of town, should not be prevented from buying at his own place; but persons living close to Belfast should not be allowed the same privilege. There is no market which has shown the effects of bad and good management more than that of Belfast. I can remember for close upon fifty years back; I remember the rector and sovereign of the town performing the duties of clerk of the markets; and the markets were well regulated up to the time that different interests became concerned; when Sir Edward Mayne got the grain market established, and the late Robert Montgomery established the cattle market. Smithfield market was the perquisite allowed to the sovereign of the town, for his trouble in acting as chief magistrate; but when adverse interests got up it ceased to be his duty to attend to driving the people into the markets, and they then first got into disorder, through the want of any person in authority visiting them; the farmers were glad to avail themselves of the liberty of selling at other places; I found that there were 120 places for selling along the road; and every species of fraud which could possibly be practised by roguish ingenuity was carried on there. The farmers, under the circumstances, were glad to find a retreat in the merchants' stores. Now, I do not believe that there are more honourable high-minded men than the merchants here; but there is another class of men who were in the habit of introducing every species of disorder, beamage, and cribbage, which they went on increasing step by step. I remember when the beamage was but five pounds, and I also remember when it was fourteen pounds, on a pig, until it was brought down to eleven pounds by a resolution of the merchants. In some places they put the eleven pounds openly in the scale, but in other places they put it on the end of the beam, rolled in a piece of sacking. I remember myself once going as foreman of the Market Jury, and asking what it was which was hung upon the end of the beam, the weighmaster said it was the usual allowance; I asked what the weight was, he said he did not know, but whatever it was it was agreed to by the merchants; at my request he took it out, and the weight was fourteen pounds and some ounces. Then, as to the selling of butter, some men will not buy at all from any man who has other customers.

9826. Would it not be very desirable to have all butter weighed and inspected in the market before it is sold?—I always advocated it most strenuously. I think there should be a penalty for not bringing it in and setting it down for sale in the market; and I am decidedly of opinion that it should be all inspected before being offered for sale. Between first and second butter there is really no difference in quality; the second is as good as the first; if it is any worse it is made third; but it is only the alteration in colour which makes it second.

9827. Not generally speaking?—It certainly has been the practice here; the second butter will get as good a sale in Manchester and other places as the first. The want of proper branding of the firkins leads to immense frauds upon both sides. I would have them all branded under authority, in the hands of a person of respectability. One farmer may fill a firkin in a day, but another, who has only one cow, may take three months in filling it, and of course it will then soak much more than if it were filled in a short time; so that the man who branded casks should be competent to judge regarding soakage. Again, we have got into the habit here of purchasing pork by the 120 pounds—every thing should be weighed by the 100 pounds.

9828. According to the decimal system?—Yes.

9829. Is not the 120 pounds something on that scale?—It is; but there is no reason for going beyond the 100 pounds. It was first made 112 pounds, to cover the loss upon articles subject to loss—such as corn. In other countries, where they weigh by 100 pounds, it greatly simplifies the transaction. There might be some difficulty at first, as it would cause an alteration in the weights and measures; but once introduced, it would be a great advantage.

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666. Mr. A. H. Thornton.

9830. Would you be in favour of buying corn by the stone or the hundred-weight?—Altogether in favour of buying by the 100 pounds.

9831. But if that system were not carried out?—Then buying by the stone would be a simple system. The only objection would be, that it would introduce so many fractions. I also wish to allude to the Summary Jurisdiction Act, which, I think, by no means goes far enough. The business of the magistrates here is over, generally, about one o'clock, and the farmer does not know what grievance he has to suffer until after that; for the dealer will take care he shall not know it until it is too late for summary jurisdiction that day.

9832. I should rather think the magistrates do not adjudicate after leaving the bench, for the purpose of making an example; for the matter will not get such publicity as it would when decided upon the bench?—I do not think that sufficient. Several years back the sovereign adjudicated at his own house; and the only difficulty I see is the trouble it would give to the magistrates, being under the necessity of attending to such matters, perhaps, until four o'clock. The law is very defective as regards summary jurisdiction.

9833. You would, of course, be in favour of having all produce coming into the town weighed in the public scales?—I would, decidedly; for human nature must be greatly changed before men can be trusted, "when self the wavering balance shakes." Many respectable merchants know nothing of the frauds caused; for there are servants who think to please the master by acting dishonestly in his favour. Great care should be taken to secure proper inspection in the pork trade, and the power of settling disputes between the buyer and the seller.

9834. Have you any remarks to make regarding flax?—There is no article in the trade regarding which there is so much wrong inflicted, and so much confusion, as in flax. There was a gentleman here who had a large quantity of tow, on Saturday, for which he was told he would get a certain price per hundred-weight, with which he was well satisfied; but when he came to be paid, ten pounds a hundred-weight were taken off it. Tallow, hides, and all other articles of the kind sold, ought to be exposed for sale in the public market. With regard to butter, the great advantage of a market is entirely abrogated by the practice here. When it is not set down in the market for sale, the shopkeeper or private individual has no opportunity of getting it except in the merchants' stores. I was at a meeting of the butter trade, in Manchester, and I encouraged two men to come to buy in this market, and when they came over they told me they could not get a single firkin; it was all brought into the market and carried away to the customers. I do not approve of the gradation made in the price between first and second butter. In place of there being $\frac{3}{4}d.$ difference between first and second, very generally there will not be more than $\frac{1}{4}d.$, in consequence of the great competition for seconds. Let it be sold at the value which the purchaser thinks it is worth, and no absolute fixed price.

667. Mr. Francis Rea.

Mr. *Francis Rea*.—With regard to the inspection of weights and measures, the management of it is under my direction, acting under the instructions of the Market Committee, which are only to search for and seize illegal and false weights and measures. We have no power to adjust or stamp. We had 2,000 notices printed, setting forth the 30th section of the 8th and 9th Victoria, giving ample time to all the shopkeepers of Belfast to have their weights sent to the county inspector, and properly adjusted and stamped. It is the determination of the Council to enforce the rules. With regard to the inspection of provisions we have not been idle. We can only act when we come upon these things, or get information. I have here a book in which I record all the convictions and fines, and I see that upon the 9th of November a person was brought before Mr. Treacy for selling a poor woman one pound of unsound bacon, and fined £1; on the 20th of November another party was brought up for selling an unsound ham, who would have been fined, but for the circumstance that I discovered he had been in gaol in England for smuggling whiskey, and had an attack of paralysis; and I, believing that he could not pay, stated that I thought it would fulfil the ends of justice if he were discharged with a caution, which was done. Another man was fined for selling unsound pork, £1. On the 4th of December a man was fined 5*s*. for having an unsound pig. Another man was fined for having an unsound carcass of beef.

9835. How many inspectors have you?—Some six or seven. In point of fact they are market patrols appointed for the purpose. We cannot enter dwelling-houses without a complaint being made before a justice, who issues a warrant. Any general enactment will be, to a great extent, inoperative, unless a magistrate is empowered to inflict a fine upon the buyer or the seller as the case may be. I remember that a countryman in this town, some time ago, sold eight hundred-weight of potatoes to a shopkeeper; the shopkeeper wanted to make a heavy reduction in the price, which the seller refused to allow, and the shopkeeper said—"I will inform the clerk of the markets that you have sold potatoes out of the market, and have you fined 40*s*." The man got frightened, and actually left the town without getting 6*d*. for his potatoes. Another case occurred, where a man sold a lump of butter in a shop, and the buyer insisted that he had bought it $\frac{1}{2}d.$ cheaper in the pound; the countryman refused to submit to the reduction, and the buyer actually brought him to the police office, and gave him into custody for selling out of the market. I happened to be in the police office at the time, and I made an effort to convict the buyer, as aider and abetter, but Mr. Treacy turned me round upon a point of law. I have frequently regretted being obliged to proceed against the seller, but I have no other course. The Town Council brought in a bill in 1850, in which they endeavoured to meet all these points, but it was opposed, and they did not carry it. They also endeavoured, by the 105th section

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of the Act, to make it lawful for the Mayor to determine the weight of bread, giving ten days' notice, with a fine of 40*s.* for breaking the law.

9836. What is your opinion with regard to sales outside the limits of the market?—That would greatly depend upon the limits allowed for a market. If there were reasonable limits allowed, I think persons outside the boundary should be permitted to buy or sell as suited their convenience. I do not think two miles would be an unreasonable limit at all, or too large a jurisdiction; and I do not think it would cause any serious inconvenience. I wish to make a remark with regard to the out-trade here. It was in the hands of certain parties here, and it was not an uncommon practice for one of the persons called "badgers," to get a sack weighed in the scales correctly, and take it into their own little stores. Suppose it weighed two hundred-weight, three quarters, and fourteen pounds, in several instances the fourteen pounds would be taken out, and the bag tied up with the mark upon it. The Council altered that, and now allow no retail shops in the wholesale market.

668. Mr. Bates.

Mr. *Bates.*—I find that the expenditure upon the markets was such, that the Corporation are not receiving five per cent. upon the money which they have expended. You will get the precise amount; and I merely state that, at present, that is what is known to be the result. I may state, as explanatory of any thing irregular in the markets, upon the part of the merchants or the Council, that it is very easily accounted for under the circumstances in which they have been placed. I do not mean to offer any apology upon the part of the Council, because I believe it is unnecessary; but I should be very sorry you went away under the impression that any portion of the trading community have taken any advantage of the farmers, except that which necessarily results from the bad state of the laws, and the existence in so large a community of some dishonest traders, who will be found in every place of equal extent. The markets were established in 1847. Up to that time all sales were generally in the shops and stores. That, of course, created a bad state of things; so that I conceive it is surprising that in so short a time so much should have been done upon the part of the trading community themselves to remedy that state of things, and very little that is irregular exists, considering the short time the system has been at work. I know, myself, from my knowledge of the town, that if we had the benefit of more stringent laws, I do not think there is any community in the world where the farmers, and all persons resorting with produce, would find fairer dealing from every class of merchants and shopkeepers; but as long as the laws are in their present lax condition, it is utterly impossible that we should not have persons who will avail themselves of that bad state of things. I may say this, that it is most surprising, considering the recent establishment of the markets, and the defective state of the law, that there have been so few cases of fraud existing. The Town Council are extremely anxious to do every thing to secure to the farmers coming here a system of fair dealing; and they would go any length to enforce it if the law would enable them. I have satisfied myself of one fact, that the money they have expended is not now paying them five per cent. upon the expenditure; however, one great object they had in view was, that by creating good and extensive markets in the town they might bring in trade, and in that they are succeeding to a considerable extent; and I trust the farmers will discover the advantage of coming in, and that the markets will still further increase. I am bound further to state, that I conceive, in a community such as this, where the ratepayers of the town invest a large sum of money, probably £80,000 or £100,000, in the establishment of markets, they have a legitimate right to look for some returns beyond the interest of the money which they have so invested. It is not, in regard to any defect in the markets, the merchants and dealers of Belfast or the farmers in the locality who are to blame, it is only the state of the law; and I can only wonder, considering that we had no markets until 1847, and that there will be dishonest men everywhere, that there should be so few frauds to be complained of.

Bye-laws.

Bye-Laws for the better Regulation of the Markets of the Borough of Belfast.

Whereas, at a Monthly Meeting of the Council of the Borough of Belfast, duly convened, held in the Council Chamber, in the Town Hall, on Saturday, the 1st of February, 1851, at which meeting two-thirds of the Council were present, that is to say, James Stirling, Esq., Mayor: Aldermen—Sir W. G. Johnson, John Potts, Robert Magee, Samuel Nelson, John Harrison, James Crawford, William Hamilton: Councillors—John Black, James Coleman, William Forsyth, Samuel M'Causland, Ledlie Clarke, William Ewart, Jun., David M'Connell, John Coleman, Thomas Bell, Robert S. Lepper, Philip Johnston, James Hart, John Lytle, Thomas Major, Hutcheson Posnett, William Gillilan, William Carson, John Holden, G. A. Thompson, Charles Finlay, William M'Gee—

It was Resolved—That under and by virtue of an Act, passed in the 8th and 9th years of the reign of Her present Majesty, intituled "An Act for the Improvement of the Borough of Belfast," the Council do hereby make the following Bye-laws for the better regulation of the Markets of the said Borough.

First General.

That no article shall be offered for sale, or sold in any market, or brought into the same for sale, other than such as the market has been, or may hereafter be appropriated for by the Council.

APPROPRIATION OF MARKETS.—WHOLESALE MARKETS.

1. *Grain and Meal Markets.*—The grain market, May-street, for the sale of wheat, barley, bere, oats, rye, beans, peas, vetches, flaxseed, oatmeal, wheatmeal, barleymeal, beanmeal, peasmeal, ryemeal, oatmeal seeds, groats, and oat chaff.

2. *Flax and Fruit Market.*—The flax and fruit market, May-street, for the sale of flax and tow, apples, pears, plums, damsons, and all other descriptions of fruit.

3. *Bogwood, Turf, and Grass Market.*—The bogwood, turf, and grass market, Chichester-street, for the sale of bogwood, turf, and grass, clover, vetches, and other green feeding for cattle.

4. *Cattle Market.*—The cattle market, Oxford-street, for the sale of black cattle, calves, sheep, pigs, goats, and other live cattle.

5. *Pork Market.*—The pork market, Chichester-street, for the sale of pork.

6. *George's Market.*—George's Market, Chichester-street, for the sale of flesh-meat, print and lump butter, cheese, eggs, turkeys, geese, ducks, cocks, hens, chickens, all kinds of poultry, wild-fowl, and rabbits.

7. *Horse Market.*—The horse market, or fair-green, Oxford-street, for the sale of horses, mares, geldings, fillies, foals, mules, asses, and gennets.

8. *Potato and Vegetable Market.*—The potato and vegetable market, Chichester-street, for the sale of potatoes, carrots, turnips, cabbage, and all other descriptions of vegetables, gooseberries, currants, and all other kinds of small fruit.

9. *Butter Market.*—The butter market, Great Patrick-street, for the sale of butter in firkins, crocks, butts, boxes, barrels, and lumps.

RETAIL MARKETS.

1. *Castle Market.*—The Castle Market, Castle-lane, for the sale of fish, flesh-meat, potatoes, cabbage, turnips, carrots, beans, peas, and all other descriptions of vegetables and small fruit, meal, flour, oats, and bran.

2. *Smithfield Market.*—Smithfield Market, Smithfield-square, for the sale of hay, straw, bogwood, turf, green-hides, and skins of all descriptions, marine stores, wearing apparel, old and new furniture, meal, potatoes, and vegetables, nursery produce, garden plants, delf, earthenware, osier baskets and rods; all kinds of green feeding for live stock; tin-ware, coopers' and wood-turners' work, and farming implements of all kinds.

3. *Ormond Market.*—Ormond Market, Great Patrick-street, for the sale of flesh-meat, cheese, print butter, eggs, poultry of all kinds, potatoes, and vegetables, meal, flour, oats, bran, and green feeding for cattle.

OPENING AND CLOSING OF MARKETS.

1. *Time of Opening.*—The markets shall be open for the reception of the various marketable commodities, at six o'clock in the morning, from the 1st of February to the 31st of October, and at seven o'clock, from the 1st of November to the 31st of January in each year.

2. *Time of Closing.*—The wholesale markets will be closed at six o'clock in the evening, from the 1st of February to the 31st of October, and at four o'clock in the evening, from the 1st of November to the 31st of January. Ormond and Castle Markets will be closed at eight o'clock, and Smithfield Market at nine o'clock, on all days except Saturdays, when all these markets will be closed at half-past eleven o'clock.

3. *Markets to be Closed on Sundays, &c.*—All the markets shall be closed on every Sunday and Christmas Day.

4. *Persons not to be Admitted into the Markets before the Time appointed for Opening.*—No person shall be admitted into or upon any market before the hours specified for opening such market, nor shall any person enter or continue in any market after the time appointed for such market to close, and every person offending against this bye-law shall forfeit, for every such offence, any sum not exceeding forty shillings.

5. *At what Gates Articles are to be taken in and out.*—The several gates of the markets through which articles may be taken in and out shall be indicated by painted boards over the same; and any person taking any articles out or in, except through the gates appointed for that purpose, shall, for every such offence, be liable to a penalty not exceeding forty shillings.

FIXING THE HOURS FOR BUYING AND SELLING IN THE WHOLESALE MARKETS.

The Market Committee shall fix the time at which sales shall commence, and the hours at which they shall close in all the wholesale markets, and notice of hours of sale in each market shall be conspicuously exhibited, and kept in such market-place on painted boards, in legible letters.

1. *Grain and Meal Market.*—Any person who shall, after such notice as has been affixed in the grain and meal market, open any sack, bag, or other package of wheat, barley, bere, oats, rye, beans, peas, vetches, flaxseed, oatmeal, wheatmeal, barleymeal, beanmeal, peasmeal, ryemeal, oatmeal seeds, or oat chaff, for the purpose of offering, or exposing for sale, purchasing or offering to purchase, any of the above-named marketable commodities previous to the hour specified in the notice, and until ring of bell in the market-place, announcing the hour of sale for such article, shall, for every such offence, forfeit any sum not exceeding forty shillings.

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2. *Potato and Vegetable Market.*—Any person who shall, after such notice has been affixed in the potato and vegetable market, open any bag of potatoes, carrots, or turnips, or open or uncover any hamper, barrel, or cart of potatoes, carrots, turnips, cabbage, or other vegetable, for the purpose of offering or exposing for sale, purchasing, or offering to purchase, any of the above-named commodities, previous to the hour specified in the notice, and until ring of bell in the market-place, announcing the hour of sale for such article, shall, for every such offence, forfeit any sum not exceeding forty shillings.

3. *Pork Market.*—Any person who shall, after such notice has been affixed in the pork market, offer or expose for sale, purchase, or offer to purchase, any carcass or carcasses of pork, previous to the hour specified in the notice, and until ring of bell in the market-place, announcing the hour of sale for such article, shall, for every such offence, forfeit any sum not exceeding forty shillings.

4. *Butter Market.*—Any person who shall, after such notice has been affixed in the butter market, offer or expose for sale, purchase, or offer to purchase, any firkin, half-firkin, crock, butt, barrel, box, or lump of butter, previous to the hour specified in the notice, and until ring of bell in the market-place, announcing the hour of sale for such marketable commodities, shall, for every such offence, forfeit any sum not exceeding forty shillings.

5. *Flax Market.*—Any person who shall, after such notice has been affixed in the flax market, offer or expose for sale, purchase or offer to purchase, any parcel, or load, or portion of a load of flax or tow, previous to the hour specified in the notice, and until ring of bell in the market-place, announcing the hour of sale for such marketable commodities, shall forfeit, for every such offence, any sum not exceeding forty shillings.

6. *Cattle Market.*—Any person who shall, after such notice has been affixed in the cattle market, offer or expose for sale, purchase or offer to purchase, any cattle, veal, or slink calf, previous to the hour specified in this notice, and until ring of bell in the market-place, announcing the hour of sale for such marketable commodities, shall forfeit, for every such offence, any sum not exceeding forty shillings.

Regulations as to Stalls, &c.

1. All requisite stalls, standings, tables, and benches will be provided by the Town Council, and no person shall make any alteration in, or addition to any shop, stall, standing ground, compartment, table, or bench; or in the gas, or other fittings thereof, without the previous consent of the Market Committee, signified in writing, under the hand of the Clerk of the Markets, and signed by the Chairman of the Market Committee, and any person so offending, shall forfeit, for every such offence, any sum not exceeding forty shillings.

2. *Obstructions not to be placed in Markets.*—No person shall bring into, or place in any market, any cart, hand-cart, wheelbarrow, stall, standing, table, bench, stool, chair, or other thing of the like description, save that, the tenant of any shop may place therein such quantity of additional furniture as may be allowed by the Market Committee; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

3. *Open Standings.*—No person shall place any basket, box, tub, or other vessel, upon any open standing other than what may be necessary to contain goods for sale at such standing; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

4. *Tenants themselves must occupy Shops and not underlet.*—Every person having become the tenant of any shop, stall, standing, bench, table, or compartment, shall occupy the same by himself, or herself, or by his or her known servant, or by a member of his or her family, and not otherwise, and shall not underlet the same, or permit any goods to be sold or offered for sale therein or thereon, by any other person; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

5. *Any person not a Tenant, using a Shop, liable to a Penalty.*—No person shall occupy any shop, stall, standing, bench, table, or compartment, except as the immediate tenant thereof, under the Mayor, Aldermen, and Burgesses. Nor shall any person not being such tenant, or the known servant, or member of the family of the tenant, as provided in the preceding bye-law, sell or offer for sale, any article whatsoever, in or upon any shop, stall, standing, bench, table, or compartment. And every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

6. *Names of Tenants to be put up on request.*—Every tenant of a shop, stall, or standing, shall, on being required by the Market Committee, put up his or her name, painted in letters of legible size, in front thereof, at such place and in such form and manner as shall be approved by the Market Committee, and shall continue such names so placed, legible and undefaced; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

7. *Goods not to be Exposed for Sale or Deposited, except in the place assigned or appropriated for the purpose.*—No person shall sell or expose for sale, or deposit any article in any market, or in any part thereof, other than in, at, or upon, a shop, stall, standing bench, table, compartment or place, which at the time of such sale, offer, or exposure for sale, or depositing, shall have been let, assigned, or appointed to such person by the Mayor, Aldermen, and Burgesses, or their Clerk of the Markets, or other agent duly authorized, or on such place as they or he shall have appointed, for the sale of such articles as such person may have for sale; nor shall any person refuse to remove to such place in any such market as the Clerk of the Markets or any of his assistants shall point out; and every person offend-

ing against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

8. *No Killing or Dressing to be done in any Market.*—No person shall kill or dress any sheep, lamb, veal, or slink calf, or any other animal, in any shop, stall, stand, or place, in any of the markets; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

9. *No refuse or garbage to remain in any Market.*—No tenant of any shop, stall, standing, bench, table, or compartment, shall suffer any garbage or refuse, to remain under or about the same, or neglect to keep the avenue in front thereof swept clean; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

10. *Butchers' Shops to be Washed at least once a-week.*—Every butcher shall, once in each week at the least, and also, when required by the Clerk of the Markets or other officer, well and sufficiently wash his or her shop, standing, or stall, and the floor thereof, and all stall-boards and blocks thereunto belonging; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

11. *All Cleaving shall be upon the Blocks.*—All cleaving, sawing, or chopping, shall be upon the blocks or chopping boards provided for the purpose, and there shall be no cleaving, sawing, or chopping, upon any of the stalls, standings, or tables; and every person so offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

12. *Cleaving Blocks not to be Removed.*—No person shall remove any cleaving block or chopping board, from the stall or standing to which the same properly belonged; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

13. *Fishmongers to Wash Slabs, &c., Daily.*—Every fishmonger shall well and sufficiently wash his or her slab, or table, every day of business, before nine o'clock in the morning; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

14. *Tenants to Extinguish Fires and Lights.*—The tenant of every shop, stall, or standing, shall extinguish or cause to be extinguished, the fire and light in the same, and see or cause to be seen, the gas-pipes effectually stopped, previous to the shop, stall, or standing being closed for the day; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

15. *No Meat to be Exposed for Sale as being of a description of Meat other than the true and proper description thereof.*—No carcass, or part of the carcass of any animal, shall be sold or exposed for sale, in any market, as the carcass or part of the carcass of any other animal, or as being a description of meat, other than the true and proper description thereof; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

16. *No Fish Coloured so as to give the same a deceptive appearance, shall be brought into any Market.*—No fish coloured at any part with blood, or otherwise, whereby to give the same a deceptive appearance, shall be brought into or kept in any market; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

17. *Poultry not to be Plucked, or any Live Stock left in any Market at Night.*—No person shall pluck any poultry in any market, nor shall any live poultry or live stock be left in any market, at the close thereof; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

18. *No Obstructions on Footways or Passages in Markets.*—No article, whether the same shall be intended for sale or not, shall be so laid or placed as to obstruct or incommode any footway or passage in any market, or to obstruct or hinder the sweeping under any stall or standing; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

19. *Articles not to Project over the Front of any Stall.*—No article whatever shall be so placed upon any stall, standing, bench, table, or compartment, as to project over the front line thereof; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

20. *No Person to Hawk or Cry any Article in any Market.*—No person shall hawk, carry about, or cry, any article whatever, for sale in any market; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

21. *Butter, how to be made up.*—All print butter brought into any market for sale shall be made up in separate parcels, of the full and just weight of sixteen ounces, eight ounces, four ounces, or two ounces, avoirdupois, and of no other weights, and no print or lump butter shall be in any manner adulterated, deceitfully made up, or mixed with other butter; and every person offending against this by-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

22. *No unwholesome meat to be brought to Market.*—No unwholesome fleshmeat, fish, or provisions, shall be brought into any market; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

23. *No carcass dressed by blowing or stuffing to be brought into any Market.*—No carcass or part of the carcass of any animal which shall have been dressed in the manner commonly understood by the term "blowing," or which, or any part of which shall have been "stuffed"

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or so dressed, as to give the same a deceptive appearance, shall be brought into any market; and every person offending against this bye-law, shall forfeit for every such offence, any sum not exceeding forty shillings.

24. *Dogs not allowed to be in any of the Markets.*—No person shall bring any dog, or permit any dog to follow him into any market; and if any dog shall go into any market, the Clerk of the Markets, or his assistants, may seize and secure such dog, and may detain the same, until the owner thereof shall pay all charges attendant upon the detention of the dog, as well as pay the amount of the damage, if any, done by said dog; but in any case of seizure, notice in writing shall be put up on the principal entrance to the market, as follows:—"Notice is hereby given, that a dog has been seized in this market, and is now under detention, pursuant to the bye-laws." Which notice shall remain so put up for one whole week, and after the expiration of said week, if the dog remain unclaimed, or if the amount of costs or damages, if any, be not paid by the owner, or some person on his behalf, the said dog may be disposed of, according to the order of the Mayor, or other Justice of the Peace; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

25. *Prevention of Forestalling at the entrance to the Markets.*—No person resorting to any market as a buyer, shall stop any person on his way to any market, at or near the entrance to any market-place or places, for the purpose of purchasing or offering to purchase any marketable commodity; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

26. *Carriers and Porters.*—Every person desirous of plying for hire as a carrier or porter in the markets, shall deliver to the Clerk of the Markets, his name and place of residence, with a satisfactory recommendation from two known householders of respectability, for honesty, cleanliness, and sobriety, and the application shall be submitted to the Market Committee, and upon the same being approved, the applicant shall receive a licence and badge from the proper officer, entitling him to ply for hire in the market named in his licence.

27. *No Person to Ply as a Carrier or Porter without being Licensed, or after being Dismissed.*—No person shall ply for hire, or work as a carrier or porter, without having been duly licensed as such, for the market in which he shall ply or work, or after having been dismissed, or after having discontinued his occupation for three calendar months, unless prevented from following the same by sickness; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

28. *Notice of Change of Abode to be given to the Licensing Officer.*—Any carrier or porter changing his residence, shall within seven days, next after such change, give notice thereof, to the Inspector of Licences; and any person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

29. *Carrier or Porter must be Cleanly in his Appearance, and Wear his Badge when Plying for Hire.*—Each carrier or porter must always be cleanly in his appearance; and, if he uses a basket, it must be kept well washed, and furnished with a clean cloth or towel; and the badge shall be worn by the carrier or porter when plying or working for hire, affixed to the right arm, and the same shall be kept by him visible and undefaced: no carrier or porter shall lend his badge to any person, or permit any person to wear the same. If any carrier or porter shall be dismissed the service of the markets, or shall discontinue the occupation of carrier or porter for the period of three calendar months, unless prevented from following the same by sickness, he shall deliver up his badge to the Inspector of Licences; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

30. *Carriers or Porters to Stand in Places Appointed.*—All carriers or porters, when plying for hire, shall stand in such parts of the market as may from time to time be appointed for that purpose; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

31. *Carriers' Charges.*—No carrier shall charge or ask more than the rates or prices hereinafter provided; and every person offending against this bye-law, shall, for every such offence, forfeit any sum not exceeding forty shillings.

Every carrier shall and may demand, and receive the following rates, for the carriage of any article not exceeding 14 pounds weight, from any of the markets to any place within the distance of 750 yards from the Town Hall, as measured on the plan in the market office:—

The sum of - - - - - - -	1*d.*
Exceeding 750, and not exceeding 1,500 yards, - - -	1½*d.*
Exceeding 1,500 yards, and not exceeding 2,250 yards, - -	2*d.*

and so on, for every greater weight or distance. Every person engaging a carrier, and not afterwards employing the carrier to carry goods, shall pay to such carrier one penny, which shall be over and above any compensation for detention given in the next bye-law.

32. *Payment for Detention.*—If any person engaging a carrier, shall afterwards detain such carrier more than half an hour, either before, or after despatching him with goods, such person so engaging, shall pay for such half-hour's detention 2*d.*, and for each and every subseqent quarter of an hour of detention before and after despatching, the further sum of 1*d.*

33. *Persons Employing Carriers to pay Proper Rates.*—No person having engaged or employed any carrier, shall refuse to pay on demand, to such carrier, the amount due

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according to such rates and prices; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

34. *No Carriers, unless before Engaged, to refuse to carry Articles purchased in the Markets.*—No carriers, unless before engaged, shall refuse or delay to take and carry any article, purchased in any market, and not exceeding 28 lbs. in weight; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

35. *Carriers to carry Articles carefully.*—Every carrier shall carry the articles delivered to him carefully, with the utmost diligence, and duly deliver the same, according to the directions to him given, and every carrier shall be answerable for any loss or damage to the goods intrusted to him, and in default of making compensation for the same, shall be dismissed the service; and every person offending against this bye-law, shall, for every such offence, forfeit any sum not exceeding forty shillings.

Rates for Porters Working in Markets.—No porter shall charge or ask more than the rates or prices which shall be set down on the painted boards, publicly affixed in the wholesale markets, with the name of the Town Clerk attached thereto; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

37. *Persons employing Porters to pay Proper Rates.*—No person having engaged or employed any porter, in any market, shall refuse to pay on demand, to such porter, the amount due according to such rates or prices, as stated on said painted boards affixed in each market; and every person offending against this bye-law, shall forfeit for every such offence, any sum not exceeding forty shillings.

38. *Penalty on Persons not complying with Directions of the Clerk of the Markets or his Assistants.*—No person resorting to any market as a *buyer or seller*, or as a carrier or porter, *shall at any time refuse, neglect, or omit to comply with any reasonable directions of the Clerk of the Markets, or his assistants, for carrying any bye-law into effect*; and every person offending against this bye-law, shall for every such offence, forfeit any sum not exceeding forty shillings.

39. *Swearing, &c.*—No person resorting to any market as a buyer or seller, or as a carrier or porter, or any servant of the Council, *shall, in any market, make use of cursing or swearing, or of any violent, obscene, abusive, disgusting, or offensive language;* and every person offending against this bye-law, shall for every such offence, forfeit any sum not exceeding forty shillings.

40. *No Tobacco to be Smoked in any Market.*—No tobacco or other thing shall be smoked in any market; and every person offending against this bye-law, shall forfeit, for every such offence, any sum not exceeding forty shillings.

41. *Commencement of these Bye-Laws.*—That these bye-laws shall commence and take effect, upon the 1st day of May next.

Ballymena, January 18, 1853.

BALLYMENA, 18th January, 1853.

Mr. *John Dickie* examined.

669. Mr. John Dickie.

9837. Where do you reside?—Within half a mile of Ballymena.

9838. Are you agent to Sir Shafto Adair?—I am.

9839. Under what patent or authority are the markets and fairs held in this town?—Under a patent granted by Charles II. to Robert Adair, to hold a weekly market upon every Saturday, and two fairs: one upon the 26th of July, and the other upon the 21st of October, with the right to levy tolls, courts of *pie poudre*, and all the usual privileges and jurisdictions.

9840. What is the date of that patent?—I think 1684.

9841. Are any fairs or markets held besides these?—Yes; there are two other markets established by usage—one on Tuesday for pork, and another on Wednesday, for the sale of corn. Saturday is the general market-day.

9842. Are the fairs the same?—They are.

9843. Then you only hold two fairs in the year?—Only two.

9844. Were the Tuesday and Wednesday markets established under any patent?—I think not; it was by general consent.

9845. Who is the proprietor of the markets?—Sir Robert Shafto Adair, as the representative of the original patentee.

9846. What market accommodation have you?—There is a large enclosed market for the sale of cattle upon Saturdays, and all other commodities; pork on Tuesdays, and grain on Wednesdays. Flax and butter, oatmeal and potatoes, are sold on Saturdays.

9847. What extent of ground is in that market?—About four acres, with a weigh-house and sheds, and a weigh-bridge, and five beams and scales; three for oats and pork, and two for flax.

9848. Is any grain sold on Saturdays?—None.

9849. Have you an enclosed fair-green?—The fair-green is the same as the market; but there is another field, where in spring, potatoes and turnips are sold, and cattle may be put in there.

9850. Do hay and straw come in every day?—They do.

9851. Have you a general weigh-house?—Yes, with one beam and scales, and a weigh-bridge for merchandize or any thing, open every day in the week.

BALLYMENA, 18th *January*, 1853.

669.

Mr. John Dickie.

9852. Is there any other market accommodation?—None, except the Linen Hall.

9853. Are tolls paid at the markets or fairs?—Tolls are paid upon cattle on market-days, for standing: 2*d.* a head for cows, 1*d.* for sheep or goats, 3*d.* for horses or asses, 1*d.* for pigs.

9854. Would a calf be charged as much as a three-year-old?—Yes.

9855. Is all the agricultural produce sold in the market-place?—No; it is sold on week-days about the streets. With regard to tolls, I may remark, that I think it is a great advantage to have a small custom or tollage charged in the market; provided it is expended upon the market, it is a saving both to the buyer and the seller, where there are porters and caretakers to look after the markets and prevent many frauds. I can state that, for the last twelve years, there has not been an attempt at fraud in the market here, such as selling stolen cattle, which has not been immediately detected, and I have not heard one instance of the loss of cattle in the market.

9856. Of course, the agricultural produce which does not go to the market is weighed at the private stores?—Yes.

9857. Has a weighmaster been appointed for the market?—Yes.

9858. By whom?—By Sir Shafto Adair. The proprietor always retained that right. In 1813, the weighing of the market was let, with other property, to a private company. At that time custom was taken always with weighing charges. They were a company of five, who paid a nominal rent for it, one guinea a-year. They were bound to erect a weigh-house, and had a lease of ninety-one years.

9859. How did it come back into Sir Shafto Adair's hands?—In 1845, when I became agent, I pressed upon him very strongly the advantage it would be to the town and neighbourhood to get it into his own hands, and he accordingly purchased back the interest, for which the company asked £2,000; and after a great deal of negotiation, agreed to give it for £111 a-year during the remainder of the term. That is now vested in one gentleman, Dr. Young, a physician in this town. At the time the negotiation was pending, it was vested in the hands of three, and Dr. Young purchased up the interest of the other two, for which it was said he gave £500 each.

9860. Has Sir Shafto Adair appointed a weighmaster for the entire of the town?—He has.

9861. Is he sworn under the 4th of Anne, c. 14?—Yes, he got a regular appointment, and was sworn in open court.

9862. Is there a sufficient number of beams and scales?—Yes; and if more were required they would be provided. The greater quantity of butter is weighed in the private stores.

9863. If it comes into the market and does not weigh, will it pay just the same?—Yes, 1*d.* per cask or crock.

9864. Is flax all weighed there?—No.

9865. Does what is not weighed pay?—No.

9866. Or pork?—No; there is no pork which does not weigh.

9867. How is corn weighed?—By the hundred-weight of 112 pounds.

9868. Has the market here improved since you have given accommodation?—Yes; and it is increasing every day.

9869. Do you attribute that to the good accommodation and the moderate charges?—I do. Produce comes here, which under different circumstances, would go elsewhere.

9870. Would you be in favour of having general markets where all produce should be sold and weighed?—I would; I think it would be a great advantage both to buyers and sellers.

9871. You do not conceive that it would be a restriction on trade?—Not at all.

9872. Is not the system of weighing in private stores very objectionable upon principle?—Decidedly it is.

9873. In such a market, would you have the charge any thing more than would support the market, pay all expenses, and interest?—I think that would be sufficient for any proprietor, for he would gain an advantage in an indirect way, by the money which would be drawn into the town, and the improvement to his property.

9874. Would you be in favour of having the markets commence at a stated hour?—Decidedly.

9875. Do you think the inspector at the head of the market should be empowered to arbitrate in cases of dispute between buyer and seller?—Either that, or to have the Summary Jurisdiction Act more extended. A magistrate can now only adjudicate where the value of the article is under £5. From my experience here, however, I have found that there are very few disputes. There is a time here for the pork market.

9876. Would you be in favour of an assimilation of weights and measures all over the country?—I think it would be very desirable, indeed, to buy by the hundred-weight and stone, and have an uniform system all over the country. In fact, I think any other mode of buying is illegal.

9877. Would you be in favour of buying all agricultural produce to the pound, and abolishing all deductions?—Certainly; I think all deductions should be abolished. In the pork market here, eleven pounds are deducted from every pig, even though the pig should be under half a hundred-weight.

9878. Do you not think that there should be proper agricultural statistics kept in every public market?—It would be very desirable indeed.

9879. Would you, as a rule, be in favour of removing all the fairs out of the streets, into properly enclosed fair-greens. As a rule, would you be in favour of having a moderate charge made upon all cattle on entering?—Most certainly.

BALLYMENA, 18th *January*, 1853.

669. Mr. John Dickie.

9880. Do you think the farmers, generally, would object to pay a small charge upon entering, for good accommodation?—No. I think they would prefer it very much.

9881. Do you think buyers would object to go there?—No; I should think, on the contrary, they would prefer it. They go into the fair-green here as a matter of course. The greatest difficulty we have in the market here is, as regards butter, which is chiefly attributable to the buyers, with an anxiety to go out and stop parties coming in.

9882. Is your linen market here large?—It is one of the largest in Ireland. The trade has changed very much lately. The weaver used to purchase the yarn himself, and then sell the linen; now that is altogether extinct. The manufacturers now purchase a quantity of yarn and give it out to the weavers, who weave it at their own houses, and bring it back. They get so much for weaving it, and the manufacturer sells it unbleached in the market here. The proprietor is now building a new Linen Hall to give the manufacturers offices to store their goods in.

9883. Does the buyer purchase direct from the manufacturer?—Yes; and he bleaches and exports it himself. In former times, the weaver used to come in and sell to the bleacher himself, and he had to lie out of his money, and to find capital which is now found for him.

9884. Does the weaver make as much now?—I conceive much more; and he gains in time. The manufacturer now will sell 500 pieces with the aid of one clerk, which, in former times, might take from 300 to 500 persons to sell.

9885. What is a weaver's day's work worth?—From 1*s.* to 2*s.*

9886. In regard to the Summary Jurisdiction Act, would it not be an improvement to have £5 made the amount of the fraud attempted, instead of the entire value of the article?—I think it would.

9887. Have you ever heard of frauds practised in weighing at the private stores?—There have been some cases of very glaring frauds before the bench. There were two within the last twelvemonth, when the inspector of weights and measures, who is now dead, detected false weights with a man from Belfast, who came down here to purchase. There were two sets of weights, one light, and the other heavy, which the magistrates presumed were intended for buying and selling. They fined him £5, the highest amount they could go to. In the other case the weights were all light.

9888. Have you an inspector of weights and measures?—We have.

9889. The constabulary do not perform the duties?—No; the matter was discussed by the Grand Jury at the last assizes, upon the death of the last inspector, and it was thought that unpaid officers would not be as efficient as a paid one; and the magistrates will probably place a set of weights with the constabulary for inspecting. The constabulary have no power of adjusting. I would wish to draw your attention to the branding of butter casks, in which there are great frauds practised. There have been instances of firkins branded fourteen pounds being stripped, which weighed sixteen pounds, seventeen pounds, and even eighteen pounds.

Mr. *John Neilson* examined.

670. Mr. John Neilson.

9890. Do you reside in Ballymena?—I do.

9891. What is your occupation?—I am weighmaster, appointed in 1845, by Sir Robert Shafto Adair.

9892. Were you sworn under the fourth of Anne, c. 14?—I was.

9893. Have you a fixed salary?—I have.

9894. And you account for you receipts?—I do, to Mr. Dickie.

9895. What are your charges for weighing?—Butter, 1*d.* a firkin; pork, 3*d.* a pig; oats and oatmeal, ¾*d.* a hundred-weight; potatoes, 2*d.* a load of four sacks, and ½*d.* for every extra sack; turnips, 2*d.* a load; hay and straw, 2*d.* a load; flax, 1*d.* a hundred-weight.

9896. Is that the entire revenue derived from the market, with the charge on cattle, and rent of the sheds?—It is.

9897. Could you give an account of the receipts and expenditure for the last two years?—I will give it; but I am not prepared just now. About £300 was produced last year.

9898. What was the expenditure?—It was all that.

9899. Is there any charge made at the Linen Hall?—None.

9900. If an article is sold, and does not weigh, must it pay?—Some things do not; but the rule is to charge.

9901. Is all the agricultural produce sold in the market-square?—It is not.

9902. What proportion?—It would not be easy to say; but some of it is sold outside. Nearly all the agricultural produce sold in the market is weighed there, with the exception of butter.

9903. How do you account for butter not being weighed, when there is no extra charge?—Nothing further than that the merchants find it more convenient to stop at home, and, of course, the farmers will go to the store.

9904. What is your system of weighing?—Down weight, and the scales hang nine inches off the ground.

9905. Do you weigh to the pound?—I do.

9906. If it will not take the pound down, you would throw it out?—Exactly.

9907. Are there any deductions for beamage?—None whatever.

9908. Do you give the ticket for the gross weight?—Yes; and the merchants weigh the empty sacks themselves.

BALLYMENA, 18th January, 1853.

670.

Mr. John Neilson.

9909. What would it take to bring the scale, with a good draught, from standing beam to down weight?—I think half a pound would do it.

9910. Does the charge you make cover every thing?—It does.

9911. Do you keep porters to take the loads off the cart and put them on?—We do.

9912. And the farmers need not do any thing?—Nothing whatever.

9913. Do you keep copies of the tickets?—Not except for flax.

9914. Then how do you know the quantity weighed?—Only by the money received. I would not be able to make out two tickets in time—we weigh very quick here. We would weigh about 200 pigs in the hour; and I dare say there is not a more correct place in Ireland.

9915. Would it not be desirable to weigh a little slower, and keep a book?—I think it would, or keep an additional clerk.

9916. How do you weigh pork?—By the 112 pounds; and it is bought by the 120 pounds. Eleven pounds beamage hangs on the scale, and we give the ticket for the net weight in the short hundreds-weight.

9917. Do you ever deduct more than eleven pounds?—We might take off one pound more in wet weather.

9918. Do you weigh pork the same way as corn?—Just the same.

9919. Does the charge of 3*d.* a pig cover all expenses?—It does.

9920. Does the merchant make any charge?—Four pence a pig, I understand.

9921. How does the merchant bring the weights from short hundreds-weight into long?—By deducting eight pounds from every hundred-weight.

9922. Are odd pounds in corn and pork paid for?—Yes, as near as they can possibly be brought to the price of the hundred-weight.

9923. Have you heard many disputes about the 4*d.* charged on every pig by the merchants?—No, indeed.

9924. What is your system of weighing butter?—By the firkin, down weight, to the pound, and two pounds off each firkin, which is taken off in the scale, and does not appear in the ticket at all.

9925. Do you give a regular ticket?—We mark the weight with chalk upon the lid.

9926. What is to prevent the mark from being altered?—Not much, except that the style of the figure is generally known.

9927. That is a bad protection?—Very bad.

9928. They might change the lids?—Yes, it has been done.

9929. Do you make any entry?—We always keep a private account for the merchants, and have the number of what each has brought on Saturday.

9930. If the firkin is over two quarters fourteen pounds, will the seller be paid for the odd pounds?—He will not.

9931. If it is any thing under, does the buyer deduct the amount?—He does.

9932. Does the merchant make any charge?—None.

9933. How do you weigh flax?—By the hundred-weight, and it is sold by the stone of sixteen and a quarter pounds; ½*d.* a stone is charged for storage, or, if parties are not willing to pay that, 1*s.* 6*d.* a week.

9934. Do you charge whether flax is weighed or not?—We do not.

9935. What is the largest quantity one buyer may purchase?—Some persons will buy six or seven tons in a day.

9936. Do you weigh it gross?—Yes.

9937. And give a ticket?—Yes.

9938. Do you keep a copy?—We do for flax.

9939. Do you take a return of the price?—We do.

9940. How do you weigh potatoes?—By the 112 pounds, down weight, to the pound, just the same as corn.

9941. Do you keep a copy of the ticket?—No.

9942. Do you make any deductions?—None.

9943. Have you any thing to do with meat?—Yes, we weigh beef at 1*d.* a quarter, but we get very little; on two quarters we only charge 1½*d.*, and 3*d.* a whole carcass; two pounds to the leg are deducted for bone, that is eight pounds to the carcass.

9944. Have you ever heard complaints of the system of weighing in the private stores?—Not very often, but I have heard some.

9945. Would it not be very desirable to have all agricultural produce weighed and sold in the public market?—Decidedly it would.

9946. Do the markets here generally give satisfaction?—I think they do; the charges are generally considered reasonable.

9947. Would it take much more expense to make up the returns of the market?—It would require another clerk.

9948. Would your present number of beams and scales weigh all the agricultural produce coming into the town?—They would, and if more were required we could very easily get them.

9949. Is there much forestalling here?—There is a good deal in butter.

9950. Is this a large butter market?—Indeed it is.

9951. How many firkins are sold in the year?—A great number, but I could not state exactly how many.

John Straghan examined.

BALLYMENA, *18th January*, 1853.

671.

John Straghan.

9952. Do you reside here?—I do.

9953. Do you purchase here?—Yes, I buy butter and pork.

9954. Do you consider the arrangements in this market satisfactory?—Yes, I think they are.

9955. Is the accommodation sufficient?—I suppose it is; we complain sometimes that the square in front of the weighing place is not so clean as it might be. The charges, indeed, are very low, and I think the weighing is conducted very fairly and honestly, as much so as in any other part of the kingdom.

9956. Do you think the accommodation and the low charges has led to the improvement in the markets?—They were a good help to it.

9957. Do you buy butter out of the market?—Last season I was not in the market; there was a great number of strange buyers there endeavouring to buy from the farmers, and offering them something of an extra price to get into the trade, and no respectable person could buy with them, so that I remained at home and the customers came to me.

9958. Would you not be in favour of obliging all produce to be sold in the public market, and commence at a regular hour?—Yes, if it could be done satisfactorily it would be very desirable.

9959. Would you be in favour of having sworn weighmasters?—I would.

9960. Would it not be a protection to the honest trader?—Very likely.

9961. Are there not buyers who can give a higher price than you could afford to give, and make it up in the weighing?—I think there are some who do it, but regarding the people of this town there are very few complaints, and those complaints, I think, are generally without foundation.

9962. Would you be in favour of an uniform system of weighing all over the whole country?—I suppose it would be as well, but in the end it does not make any difference. At one time our last agent endeavoured to compel us to buy by the fifty pounds instead of the sixty pounds, but we refused, because we were selling according to Belfast. I think one uniform system would be as well.

9963. And abolish all deductions?—I think it would be as well.

9964. Would it not be an advantage to have the proper statistics of every country kept?—Yes. It would be very useful, if a man lost his ticket that he could get it from the weighmaster.

9965. Would you be in favour of removing the fairs out of the streets into enclosed fair-greens?—I would; with regard to tares, it ought to be compulsory upon coopers to get the firkins branded in the public markets.

9966. What ought a weighmaster brand a firkin which weighed twelve pounds when fresh?—It should be at least thirteen pounds, but very frequently a firkin will soak two pounds.

9967. Would it not be a good plan to oblige all firkins to be so strong, as to weigh, when filled, fourteen pounds?—I think it would. Some of the white firkins are found to be too light.

Average of Price and Total amount of Quantity of Produce brought to Ballymena Market.

	1850.		1851.		1852.	
		s. d. s. d.		s. d. s. d.		s. d. s. d.
Butter,	4,925 casks,	0 5½ to 0 9 per lb.	3,147 casks,	0 6 to 0 10½ per lb.	1,358 casks,	0 6 to 0 9¼ per lb.
Beef,	—	0 2½ ,, 0 6 ,,	—	0 2½ ,, 0 6 ,,	—	0 2½ ,, 0 6 ,,
Pork,	7,955 pigs,	25 0 ,, 40 0 per cwt.	8,415 pigs,	30 0 ,, 44 0 per cwt.	10,668 pigs,	34 0 ,, 49 0 per cwt.
Oats,	828 tons,	4 0 ,, 7 6 ,,	882 tons,	4 6 ,, 8 0 ,,	854 tons,	4 6 ,, 8 0 ,,
Oatmeal,	207 ,,	8 6 ,, 12 0 ,,	221 ,,	9 6 ,, 13 5 ,,	216 ,,	8 7 ,, 11 0 ,,
Potatoes,	2,640 carts,	1 0 ,, 7 9 ,,	2,576 carts,	1 8 ,, 9 4 ,,	2,420 carts,	2 0 ,, 6 8 ,,
Turnips,	12,021 loads,	0 6 ,, 0 10 ,,	1,112 loads,	0 6 ,, 0 10 ,,	1,352 loads,	0 6 ,, 0 10 ,,
Hay,	347 ,,	1 0 ,, 2 10 ,,	315 ,,	1 0 ,, 2 6 ,,	334 ,,	1 3 ,, 2 6 ,,
Straw,	531 ,,	1 0 ,, 1 7 ,,	657 ,,	0 9 ,, 1 4 ,,	615 ,,	0 9 ,, 1 0 ,,
Flax,	186 tons,	3 0 ,, 7 9 per stone	192 tons,	4 6 ,, 8 0 per stone	174 tons,	5 0 ,, 8 0 per stone

John Neilson, *Weighmaster.*

Prices Charged on the different Commodities exposed for Sale, which includes Weighing Porterage, &c.

	s.	d.
Butter, per firkin,	0	1
Pork, per pig,	0	3
Oats, per cwt.,	0	0¾
Oatmeal, per cwt.,	0	0¾
Potatoes, per load of four sacks, (one halfpenny for every extra sack),	0	2
Turnips, per load,	0	2
Hay, per load,	0	2
Straw, per load,	0	2
Flax, per cwt.,	0	1
Beef, per quarter,	0	1
,, per carcass,	0	3

BALLYMENA, 18th *January*, 1853.

Market accounts.

Total Receipts from Tolls and Weighing in Ballymena Markets and Fairs for year ending November 1, 1850, ... £299 0 4

Cost of staff, weighmasters, porters, &c.,	£120	0	0
Rent paid old Company,	111	0	0
Land, well worth,	20	0	0
	£251	0	0

Leaving only a margin of £48 to keep up beams, scales, weights, &c.

Year 1851, ... £315 2 3

Leaving a margin of £64 2 3

Year 1852, ... £325 13 6

Leaving a margin of £77 12 6

Since Sir Robert S. Adair came to have the control of the markets in his own hands, in the year 1845, he has expended considerably over the income in increased accommodation. In the year 1846 the new weigh-house and shedding in the market-place were built. In 1850 an additional weigh-bridge was erected at a cost of £45. In 1851 additional sheds were built, costing £90; and in 1853, on completion of new Linen Hall (that being the place butcher's meat is now sold), a new shambles will be built and enclosed, with close and open stalls, at a considerable outlay, possibly the profits of next five years.

BALLYMONEY, 19th *January*, 1853.

672.

Thomas M'Eldery.

Ballymoney, January 19, 1853.

Thomas M'Eldery examined.

9968. Do you reside in Ballymoney?—I do.

9969. What is your occupation?—I am lessee of the markets, from Lord Antrim, who is the proprietor.

9970. Can you state under what patent or authority the markets and fairs here were established?—I do not know any thing of them.

9971. How often are the markets held?—There are two markets on Mondays and Fridays, for oats, and the third Thursday of every month is a market for butter, pork, flax, linen, potatoes, meal, cattle, and green crops.

9972. When did you get a lease of the markets?—I suppose about fifteen or sixteen years ago.

9973. At what rent?—£35 a year.

9974. What does your lease give?—Tolls and charges of every kind.

9975. What tenure have you?—Ninety-nine years.

9976. Was the market accommodation erected by you?—It was.

9977. What accommodation have you?—A grain market, enclosed, with stores, sheds, and weigh-house.

9978. How many beams and scales?—One.

9979. How large is that market?—About one hundred and fifty feet, or nearly so, square.

9980. Is the land yours?—It is.

9981. Could you close that market to-morrow, if you chose?—No, I am bound to keep it open.

9982. What other markets have you?—There is a market for pork, butter, flax, potatoes, and other articles generally, in a square enclosed, with a weigh-house, sheds, and small store, and three pairs of beams and scales. There is a weigh-bridge attached, but it is outside.

9983. What size is that market?—Something better than one hundred and fifty feet square.

9984. How many entrances?—Two.

9985. Is that market included in your lease?—It is.

9986. Were the buildings erected by you?—They were.

9987. Is there any other market?—There is the Linen Hall, but I have nothing to do with it. The Earl of Antrim built it himself, for the accommodation of the town.

9988. Where are the fairs held?—In the lower part of the town.

9989. Is there an enclosed fair-green?—There is.

9990. Is that leased to you?—No.

9991. Are tolls paid in the market?—Carts of young pigs, and some other things are charged.

9992. Did you erect all the buildings yourself?—I did, with one hundred pounds from Lord Antrim, as assistance.

9993. Is all the agricultural produce of the town sold in your markets?—No, part is sold outside, and weighed in the private stores. Flax is mostly sold outside, and pork.

9994. Do you make any charge upon articles not brought in there?—None whatever.

9995. Does grain all go into the market?—It does, as far as I know.

9996. If persons sold corn in the market and did not weigh, would you make any charge?—I would.

9997. Has a weighmaster been appointed for the market?—No, I employ hands to assist me as weighmaster.

9998. Did you ever get the appointment?—I was appointed under the courtleet.

9999. Were you sworn?—I was not.

BALLYMONEY, 19th January, 1853.

672. Thomas M'Eldery.

10000. When were you appointed?—About eighteen or nineteen years ago.

10001. What are your charges?—Each firkin of butter, 2*d.*; each pig, including porterage and inspection, 4*d.*; each cart of potatoes, for the use of the scales and weights, 3*d.*; retailing meal in the scales, 4*d.* a day; each hide 1*d.*, paid by the seller; inspecting a hide, 1*d*, paid by the buyer; turnips and green crops, generally the same as potatoes; butter, flax, and pork, are not charged for unless weighed; any thing under twenty stone of grain, 1*d.*, up to thirty stone, 2*d.*, over that 3*d.*

10002. Have you a sufficient number of beams and scales to weigh all the agricultural produce coming into the town?—I think so.

10003. Do the markets commence at any regular hour?—The pork market commences at eight o'clock, the grain market begins at ten; there is no regular hour for flax.

10004. What time is the weighing generally over?—Generally about one o'clock in the day. Some days it may take longer, and some days less.

10005. Do you give a ticket?—Yes.

10006. Is it printed?—It is.

10007. What do you enter?—The name of the seller, the date, and the gross weight.

10008. Do you enter the price?—No.

10009. Do you keep a book?—I do.

10010. What are your charges upon the weigh-bridge?—Three pence a load.

10011. Would you charge 3*d.* for a donkey's load?—No, only 1½*d.*

10012. Does it rest with you what to charge?—I suppose if I charged more than was charged in other markets, I would only injure myself.

10013. Have you any board, with a list of charges posted up in the markets, which every person might see?—No, I never had; but I think it would be very well to have such a board.

10014. Do you keep a book in all the markets?—I do for pork and flax, and the weigh-bridge; but not for butter.

10015. How do you weigh corn?—Down weight, to the two pounds.

10016. If it were standing beam would you throw out two pounds?—I would.

10017. Do you make any deductions for beamage?—None whatever.

10018. Do you tare the empty sack?—We take an allowance for it, from three pounds up to six pounds; we put the gross weight down, and take off the allowance.

10019. Do you never weigh the empty sack?—Never.

10020. How do you weigh pork?—Down weight, to the pound, and weigh by 112 pounds.

10021. Do you deduct any thing?—Nothing whatever; I believe the buyer takes off ten pounds.

10022. What is your system of weighing butter?—Down weight, to the pound.

10023. Do you take off any allowance?—None at all.

10024. Do you deduct the weight of the firkin?—Yes, whatever is marked.

10025. Do you charge 2*d.* a firkin?—Yes; and half a firkin 1*d.*

10026. What is your system of weighing flax?—By the 112 pounds, down weight, to the pound, and no deductions.

10027. What weight would bring your scales, with a draught of two hundred-weight, from standing beam to down weight?—I think two pounds.

10028. What height are the scales from the ground at standing beam?—About six inches.

10029. How do you weigh potatoes?—The parties generally hire out the weights; but we sometimes weigh them in sacks, down weight, to the pound.

10030. What staff have you employed?—I have four weighmasters, four clerks, an inspector, and seven porters in the pork market; I think there are about seventeen persons altogether employed upon market-days.

10031. How many in the corn market?—Five, and myself.

10032. Do you pay taxes, provide tickets, and keep the place in repair?—I do.

10033. What capital have you invested in the buildings?—About £2,000.

10034. Could you give any idea of what your receipts are?—I could not at present.

10035. Have the markets increased in consequence of the accommodation you have given?—There was no such thing as a corn market here at all, until I first started it.

10036. Would you be willing to part with your interest to trustees or other parties, upon receiving fair compensation?—Indeed I would.

Mr. *James Cransey* examined.

673. Mr. James Cransey.

10037. Do you reside in Ballymoney?—I do.

10038. What is your occupation?—I am a solicitor, and I act locally for Lord Antrim.

10039. Can you give us any information regarding the patent under which the markets here are held?—It is a patent granted in the first year of the reign of James the First, dated 1603, granting to Sir Randal M'Donnell, knight, afterwards Earl of Antrim, all the rights of the markets here. There was a second patent in the fifth year of the reign of Charles the First, in the year 1629, confirming the former patent, and granting the territory, with all the rights of markets and fairs, tolls, customs, and all the rights and privileges.

10040. Does it mention any specific days?—I cannot find any specific day, nor from the extent of the territory do I think it likely it grants any. It is a grant of a very extensive country, comprising perhaps half the whole county of Antrim. An earnest opposition was

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Mr. James Cransey.

got up to the payment of tolls, and I believe it was put in process of trial, but ultimately the tolls were given up, and none whatever charged.

10041. Do you think there was any difficulty in proving the title?—No, I think not; but a series of abuses had crept in, such as demanding tolls upon cattle not sold; and there were a number of standings in the streets, where people sold wares, and were merely occupying the public streets, and were charged tolls, and there was a plan used of swearing parties; and I believe, Lord Antrim, from good feeling, did not wish to insist upon his rights, and for the sake of the town they were given up. Mr. James Stewart Moore had a lease of them, which I believe was merely temporary, and I imagine Lord Antrim gave him some compensation.

10042. When was that?—I should think about the year 1830; Mr. Moore had a collector under him, or sublet the tolls.

10043. Did the fairs and markets remain then in Lord Antrim's own hands?—They did, until he leased them to Mr. M'Eldery, in March, 1846; it is right to say that before that time there were no good markets, they were held altogether in the streets, and the fairs were held in a common, not at all enclosed. There was a general feeling that there was not proper accommodation, and there were markets established upon private speculation, by Mr. M'Eldery, and a person named Mitchel.

10044. What are the days for holding fairs?—Fifth May, 10th July, and 6th October.

10045. What does the lease grant?—The markets merely.

10046. Is there any thing to prevent Lord Antrim from establishing another market?—I see nothing in the lease to prevent him, but I suppose there was an understanding to that effect.

10047. Is there any schedule attached to the lease?—There is not; but there was an old schedule established by the jury of the courtleet, whether that has been departed from by Mr. M'Eldery, I cannot say. There is no doubt, Lord Antrim intended to give whatever rights belonged to the market; but I think he wanted to have the power of retaining them to some extent, in his own hands, to prevent abuse.

10048. In whom does the appointment of officers rest?—I think in the lessee of the markets; Lord Antrim does not exercise any control. It is due to Lord Antrim to say that at his request, the Town Commissioners here levy a small rate for gas and borough improvements, and the principal parties who pay are the Commissioners themselves, and it is very creditable to them that they have put themselves under the Act; and there is no officer of the body except the inspector of the town paid one farthing. When Lord Antrim came to this county, some few years ago, a deputation was appointed, of which I was one, to bring different questions before his lordship: one was with regard to the fairs and markets, which were then thought to be declining. The fair-green was a common, part of which was excavated, the earth being taken away for any purpose which was wanted. It was then offered that the Town Hall should be improved, and the fairs and markets improved, and Lord Antrim offered, if necessary, to throw off the rent of the markets altogether, and give a sum of money towards them. There was a proposition made to buy from Mr. M'Eldery, his rights, but it fell to the ground.

10049. Did Lord Antrim give Mr. M'Eldery any assistance towards building the market?—He gave him £100 for the grain market; so far as I know, I think Mr. M'Eldery conducts the markets very well, except that there are some complaints as to the amount of the charges, and that there are not sufficient hands to have the markets over in time; but it is only due to him to state that there could not be a more painstaking man. A meeting of the Commissioners was held here last night, at which there was a general feeling that a complete uniformity of weights and measures should be established, and an abolition of trets and deductions.

10050. Is the general feeling that, if proper accommodation, and an efficient staff were provided, all agricultural produce should be sold and weighed in the public market?—Most decidedly; it would be a great advantage to the farmer and to the honest buyer.

10051. Would it not be a great advantage to have the markets commence at a stated hour?—There can be no question of the advantage of it.

10052. Do you not think, as a rule over the whole country, that the charges in such markets ought to be nothing more than would support them efficiently?—Certainly; for a good market will increase the value of all the neighbouring property, and no money should be derived from it.

10053. Would it not be one advantage of such a market that we could obtain the proper agricultural statistics of the country?—Very much so; and such a thing is quite impossible at the present time. I also wish to remark, that I think the jurisdiction of magistrates ought to be extended, with regard to the settling of disputes between buyer and seller; the moment the value of any article exceeds £5, the magistrate has no jurisdiction; if the law were that the value of the fraud should not exceed £5, it might work very well, but at present the magistrate is almost deprived of any jurisdiction. It strikes me that the magistrates should have the power of deciding in these questions at once, and where they do not feel themselves competent, to call in a jury of two or three to get an opinion.

10054. Would it not be desirable to have a competent inspector at the head of every market to arbitrate between buyer and seller?—The only difficulty would be to get a person of standing and character, for the remuneration could hardly be sufficient to induce such a person to accept the situation. There is at present an inspector in the grain market, and I believe his decisions generally give satisfaction; and also an inspector of pork, who cuts the pigs to see whether they are diseased or not. I regret that in cases of clear fraud the

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673. Mr. James Cransey.

parties are not prosecuted; the lessee did, in one or two instances prosecute, and it had a very beneficial effect; but in the case of oats fraudulently made up, the buyer just reduces them in price so much a stone, and that is considered a sufficient punishment. I think it very short-sighted, in every case where fraud occurs, not to bring it before the magistrate, and have the full penalty inflicted

674. Mr. John Doherty.

Mr. *John Doherty* examined.

10055. Do you reside in Ballymoney?—I have an office here.

10056. Do you purchase in this market?—Yes; butter, flax, pork, and grain.

10057. Do you generally purchase and weigh in the market?—No; I weigh part in my own place.

10058. Why do you not weigh all in the market?—The market is not convenient; my premises are at some distance from it.

10059. Do you consider the market arrangements well carried out?—I think they are.

10060. Is the weighing satisfactorily performed?—I consider that it is honestly performed.

10061. As a general rule, would you not be in favour of weighing all agricultural produce in the public market?—I would, if it were made uniform.

10062. Do you conceive being obliged to buy and sell there would be any restriction upon trade?—Certainly not.

10063. Would you be in favour of having the markets commence at a regular stated hour?—I would.

10064. Would you be in favour of an assimilation of weights and measures over the whole country?—I would.

10065. Do you think it would be an advantage to weigh to the pound, and abolish all deductions?—I think if you abolish them everywhere it would be just the same to all parties.

10066. Is not the present system considered a great source of annoyance to the farmers?—It is; I would have no objection to the change.

10067. Does not the system at least keep up a fictitious price?—I do not think it makes any difference; we gain nothing by it, and I think it would be just as well to abolish the system, and regulate our prices correspondingly.

10068. Would it not be desirable to obtain proper statistical returns of all the markets?—It could be very easily done, and it would give valuable information to parties who wish to speculate.

10069. Do you think it would be desirable to have all empty firkins branded by a public sworn officer, in the public market?—Most certainly.

10070. Are you aware of any frauds practised in the branding of firkins?—Plenty of them.

10071. Do you not think the very system of deduction makes the farmer inclined to take every advantage he can in order to meet them?—Well, I think it does; I have lost £500, I am sure, by the tares upon firkins; they have been sent home to me weighing seventeen pounds, which were branded fourteen pounds; I got a letter to-day, from Edinburgh, complaining that there were twenty-two pounds over weight, in eleven firkins; and I have a letter from Newcastle requiring me to allow £1 13*s*. 2*d*. for tares.

10072. Do you pay for over seventy pounds?—We pay for seventy-two pounds; not over that.

10073. What do you deduct?—Fourteen pounds for the cask.

10074. Do you deduct any beamage?—None.

10075 What is your system of weighing?—Down weight; we are not very strict in bringing it down, provided it be fair weight.

10076. Do you weigh to the pound?—Yes.

10077. Do you ever strip the firkins?—Sometimes. The Manchester people passed a resolution that they would not take in butter from our part of the country unless it were re-weighed and tared; and where there are one hundred firkins, they will just take ten of the heaviest, and where there are fifty, take five, and weigh them, as an average.

10078. Is it the case that if the cooper makes the firkins very light, he will not get much custom?—Indeed it is, in many cases. Of course I do not mean to take in all the trade.

10079. Do you think what the farmers lose by not being paid beyond a certain weight, covers the over tares?—Not at all. The farmers now take care to weigh the firkins at home, and do not give us a great deal to play upon.

10080. Would you be in favour of having all butter sold and weighed in the public market?—I would.

10081. Would you have it inspected by a public sworn inspector before sale?—Decidedly.

10082. Is the pork you buy weighed in the public market?—It is.

10083. How do you buy it?—By the 120 pounds, and ten pounds are taken off each pig. It is weighed by the 112 pounds, and the full weight put in the ticket, and then we deduct ten pounds for the head and feet.

10084. Do you keep the head and feet?—We do.

10085. Do you make the same deductions whether the pig is large or small?—Just the same.

10086. Do you make any charge?—Two pence a pig for porterage.

10087. How do you bring the weight from short hundreds-weight into long?—We bring it into pounds, and divide them by 120.

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674. Mr. John Doherty.

10088. Have you ever known buyers in bringing the weight into long hundreds-weight, deduct odd pounds from twenty-eight pounds instead of thirty pounds?—I am aware that it has been done.

10089. Would you take into calculation, in buying a small pig that you would have a greater per centage off it?—If I were curing at home, I think I would.

10090. Have you ever known frauds to be practised by parties stating that pigs were measly when the market was over?—I cannot say that such things occurred to my own knowledge.

10091. Would you be in favour of having pork sold and weighed in the public market?—I would.

10092. Would you be in favour of one uniform system of weighing, and abolishing all deductions?—Certainly.

10093. Do you buy flax?—I do.

10094. Do you weigh it in the public market?—Yes.

10095. How do you buy it?—Flax is sold here by the hundred and twenty pounds, with a tare of four pounds to the hundred-weight; it is weighed in the market by one hundred and twelve pounds.

10096. Do you make any charge?—We charge upon every parcel of one-half hundred-weight or one hundred-weight, 2*d.*; and if we buy a parcel of twenty hundreds-weight, we charge but 2*d.*

10097. What is the average weight of a parcel?—Eight or ten hundreds-weight; we call the whole cart-load a parcel. I am just now waiting to get a parcel weighed of one ton or one and a-half ton, and only 2*d.* will be charged upon it.

10098. Would you be in favour of having penalties recoverable in a summary way before one magistrate, for frauds upon the part of the buyer and seller?—Certainly.

10099. Would you make it the duty of the officer in charge of the market to act as prosecutor in such cases?—I would.

675. Mr. David Wilson.

Mr. *David Wilson* examined.

10100. Do you reside here?—I do.

10101. What office do you hold?—That of secretary to the Town Commissioners. The Commissioners took these questions into consideration, and they agreed, with regard to the uniformity of weights and measures, that the decimal system was, in their opinion, the best. Some persons were in favour of the 112 pounds, but the general opinion was, as I have stated. They considered that the markets should open and close at a given hour, by ring of bell; that the present system of tares and deductions should be abolished in pork, flax, and every other article; that there should be a public officer to brand casks of butter, allowing one pound for soakage on casks under ten pounds, and up to sixteen pounds, allowing two pounds; and that there should be a public officer in each market, whose duty would be inspecting produce, and making any arrangements between buyers and sellers.

10102. Was it considered desirable that it should be made compulsory to buy and sell in the public market?—Yes; that was the universal opinion.

10103. It was not considered any restriction upon trade?—On the contrary, quite in favour of both parties. We are of opinion that perhaps there are no better conducted markets than these in the North of Ireland, but that all markets generally should be in the hands of public officers or trustees. There is also a desire generally felt that there should be a weekly market here.

10104. Are the Town Commissioners in favour of removing fairs out of the streets into enclosed fair-greens?—They are.

676. Mr. Wm. M'Affee.

Mr. *William M'Affee* examined.

10105. Where do you reside?—About three miles from this.

10106. What is your occupation?—I am a farmer; and I act as assistant-secretary to the Farming Society, and I am a Poor Law Guardian.

10107. Would you be in favour of having a general market, where it should be compulsory to buy and sell?—I certainly would.

10108. You do not consider that it would be any injury to farmers?—By no means. I object, upon the part of my brother farmers, to the want of a sufficient staff here upon large market-days.

10109. Would you have the charges in a public market only sufficient to support it?—Yes; to support it liberally. With regard to pigs, we complain that if there be a diseased pig, the inspector is not permitted by the purchaser to state how much the pig is worse of it. We want to have the inspector to fix the deduction, and not have it thrown over upon the buyer. I have known parties to exact 15*s.* off a poor man who could not afford to take his pig home, when, perhaps, 4*s.* would be the just reduction. At present people are thrown upon the mercy of a just or unjust buyer, as the case may be.

10110. You would have a sworn inspector and weighmaster?—Certainly. We think, too, that it would be a good paying trade to weigh all the butter for 1*d.* a cask, which is at present charged 2*d.* At present, also, when selling pork to a man, he has a house or a kind of sentry-box in which he stands, and leaves me in the street, while, perhaps, it may be snowing, and charges me 2*d.* for going there to get my money. There is another imposition as regards the oat market. If a poor man comes in with one bag of oats which weigh eighteen stone ten pounds, the weighmaster marks four pounds for the bag, which

brings the remaining pounds below half a stone, and the purchaser will only pay for eighteen stone.

10111. Do the purchasers pay for nothing under half a stone?—No; and if a poor man has but one sack, it presses heavily.

676. Mr. Wm. M'Affee.

10112. Is every pound of flax paid for?—Yes.

10113. At the same price?—Certainly; or as near as can be calculated.

10114. Is it the same in pork?—Just the same.

10115. Is butter all paid for?—It is.

10116. Would you be in favour of having all produce weighed standing beam, to the pound, and all deductions abolished?—Certainly; and let the prices be brought to meet that system. I cannot see any benefit to the honest merchant in the present system.

10117. Would you be in favour of an assimilation of weights and measures all over the country?—I would, most decidedly; and I think the decimal system would be the best, if we could get it. At present I cannot take up a newspaper and see what prices are in other markets, for I do not know what their tares are, or how they weigh.

10118. Would you be in favour of removing all fairs into properly enclosed fair-greens?—Certainly.

10119. Would you be willing to pay a small charge?—I would. There is one thing of which we feel the want very much here: if a dispute occurs between a buyer and a seller, the magistrates live at such a distance, and their business keeps them out of the market, and we have no local magistrates, of which we greatly feel the want.

10120. Would you have penalties, recoverable in a summary way, for fraud, upon the part either of buyer or seller?—I would. It is not sufficient punishment on a farmer, when he brings in bad oats, for the market inspector to say the oats are worth so much less; it never reaches the public prints. I would say, fine the party in all such cases. Let the officer of the market prosecute any party who brings in fraudulent oats; let him be punished, and then take home his grain and clean it properly.

10121. Do you think that it would be desirable to have proper returns of the market statistics kept?—I think it would greatly benefit us, for it would show the people around, who might be inclined to go somewhere else, that our markets had increased, which would induce them to come in here.

Mr. *James Thompson* examined.

677. Mr. Jas. Thompson.

10122. Do you live in Ballymoney?—I do.

10123. Do you buy flax and corn?—I do; and I keep large spinning mills.

10124. Would you be in favour of having general markets over the whole country, where all parties would be obliged to buy and sell?—I would; with the charge as reasonable as possible.

10125. Would you approve of having the markets commence and close at a certain hour?—Decidedly.

10126. Would you be in favour of one uniform system of buying and selling over the whole country?—Certainly.

10127. Do you think all agricultural produce should be weighed to the pound, standing beam, and every deduction abolished except the actual tare?—Yes; it would prevent complaints upon the part of the farmers, and would be found more satisfactory for all parties.

10128. Would you have the officer in charge of the market empowered to arbitrate in cases of dispute between buyer and seller?—I would.

10129. Do you think it would be desirable to obtain from the officers in charge of the markets proper statistical returns?—It would be very desirable.

10130. Would you have all fairs removed out of the streets into proper enclosed fair-greens?—Most decidedly.

10131. Do you think the farmers, generally, would object to pay a small toll for the use of the fair-green?—No; I am sure they would willingly do so.

10132. Would it not be the best plan to make a small charge upon all cattle entering?—I think so; every man should pay for the accommodation he gets, whether he sells or not, and have no swearing.

10133. Can you give any idea of the quantity of agricultural produce sold in Ballymoney?—I can go as near as possible to it.

Ballymoney Market.

"Inquiry having been made of me by several of the large landed proprietors of this neighbourhood, respecting the state of this market, in comparison with former periods, and in answer thereto, I find, on reference to documents, that previous to, and for some years after, 1800, a few car-loads of butter and pork were the extent of the weekly purchases, which were sent for sale to Belfast; the quantity gradually increasing till the year 1810, when a considerable sum was annually paid to the farmers for those products; and about this time the export to Liverpool and other English markets may be said to have commenced, still increasing until about 1830. Several markets have arisen since in neighbouring towns of Bushmills, Kilrea, Garvagh, &c. (and, in addition, those of Newtownlimavady and Coleraine, as at former periods butter and pork were frequently sent from thence to Ballymoney for sale). All of those markets being regularly attended by Ballymoney buyers, thus contributing to their prosperity; notwithstanding which, we find, by the following short statistic, that the town of Ballymoney retains its position as one of very considerable importance in the North.

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Mr. Jas. Thompson.

"The grain market was, after some previous attempts, commenced in 1831, since which there have been sold—

In 1833,	1,725 Tons.	In 1837,	962 Tons.	In 1841,	2,103 Tons.
„ 1834,	2,440 „	„ 1838,	1,874 „	„ 1842,	2,189 „
„ 1835,	2,614 „	„ 1839,	1,957 „	„ 1843,	2,351 „
„ 1836,	2,180 „	„ 1840,	2,505 „	„ 1844,	2,300 „

Making a total of 25,200 tons, which, at an average of £6 per ton, shows £151,200 expended in grain (principally oats) in twelve years.

"The gross annual amount of the various agricultural articles now bought in Ballymoney may be called—

About 20,000 sacks of oats,	say 2,300 tons,	value, at £6 per ton,	£13,800
„ 8,000 pigs,	„ 800 „	„ at 35 „	28,000
„ 9,000 casks butter,	„ 280 „	„ at 80 „	22,400
„ — flax,	„ 200 „	„ at 45 „	9,000
Hides, tallow, beef, probably	120 „	„ amount,	6,800
Giving yearly 3,700 tons, value,			£80,000

To which may be added the wheat and oats brought from other markets for the supply of Glenstall and Balnamore flour mills, grain consumed at Bann distillery, and flax and tow for the Balnamore spinning mills.

"The handspun yarn market, at one time of great importance here, has now entirely ceased, the manufacturers being supplied with millspun from England, Belfast, &c.

"The linen market is also yielding to a change of system, as at one time all webs were sold by the manufacturers in the markets, diffusing a large amount of money; whereas now the bleachers and buyers are supplied from extensive manufacturers, who have thus now no necessity to resort to public markets. Still, at the smallest computation, £40,000 are annually paid for linen in the markets of Ballymoney.

"It is more difficult to make an estimate of articles consumed; but it is supposed the amount would read, say for the articles of—

Tea,	300 chests, value, £5,000
Sugar,	150 hhds., „ 6,000
And Tobacco, probably	„ 5,000

"From the improvements taking place in agriculture, by draining, green cropping, &c., it is to be expected, increased quantities of produce will be available for export; and in addition to those enumerated may be added, cattle, potatoes, fowl, and eggs, of which shipments, to a considerable extent, have been made of late years to England and Scotland, from this neighbourhood.

"Should the foregoing be of any interest to you (collected as accurately as circumstances would permit), I shall have pleasure in thus being the means of furnishing it.

"I have the honour to be, Sir, your obedient servant,

"James Thompson.

"Balnamore, Ballymoney, 18*th December*, 1844."

"*Ballymoney*, 20*th November*, 1852.

"Since the foregoing letter was written, for the information of parties interested in this town, many changes have occurred, and severe trials experienced by the mercantile and agricultural world, as well as by other classes of society. The year 1845 being one of great prosperity, was followed by the commencement of the potato blight in 1846, and to its continuance may be attributed much of the misery that has ensued, as also by the sudden transitions occasioned by the recent alterations in the corn laws, necessarily resorted to.

"We now find prosperity on the ascendant, which may in part be accounted for by the splendid crop of grain and flax we have had this season, as well as by the large produce and improved condition of the potato crop, which, added to the large influx of gold, appears to create fresh impetus to trade and commerce, leading to new channels for employment and to increased energy and industry. In no way could this be promoted with so much advantage to the country generally as by the formation or completion of railways, as well for the transit of the produce of the country and merchandize as for economizing time, the value of which is now so much better appreciated. It may, therefore, be satisfactory to continue the return of the markets of this town until the present time, and to show the quantity of produce sold in the following years, up to November in each year:—

Year.	Oats. Tons.	Pork. Tons.	Flax. Tons.	Butter. Firkins.
1845	2,900	976	126	13,200
1846	2,030	1,119	102	13,300
1847	1,355	412	90	13,200
1848	2,155	226	102	12,500
1849	2,245	270	120	15,500
1850	1,380	420	120	12,000
1851	1,550	460	136	10,600
1852	1,400	500	216	12,000

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Exclusive of linens, cattle, &c., &c., as also of the grain and flax consumed in the extensive mills, distillery, and brewery in the neighbourhood, which is mostly imported and brought from neighbouring markets. These products will increase very materially with the facilities which a railroad through this town would afford, which, from the cheapness of its construction, and the fact of its being a connecting link between the existing lines nearly completed from north to south of Ireland, with the through traffic from Derry to Belfast, and embracing all the traffic coming to and from the important town of Coleraine on the one side, as well as the extensive manufacturing town of Ballymena on the other, with that of Portrush harbour, lying midway on the east coast between Belfast and Derry, and showing an annual import and export of about 150,000 tons, independent of the large and increasing number of visiters to the magnificent scenery of the Giant's Causeway and surrounding coast, and the expectation of a large field of coal and other minerals from the neighbourhood of Ballycastle, now being efficiently worked, offers inducements for investments few, if any railway in Ireland, ever before submitted to the public.

"I have the honour to remain, sir, your faithful and obedient servant,

"JAMES THOMPSON."

678.

Mr. Jas. Campbell.

Mr. *James Campbell* examined.

10134. Do you reside in Ballymoney?—I do.

10135. What is your occupation?—I am a cloth manufacturer and a yarn dealer. A practice exists here, which is a very serious loss to the poorer class of weavers, of charging them 2*d.* for stamping the web. The manufacturers give out the yarn to be woven—it is brought into them by the weaver, and they sell it to the merchants, who require to have it stamped with the number of yards. There is a deputy who stamps the webs, and 2*d.* is charged, which falls entirely upon the poor weavers. I think that charge is too much. It has destroyed the coarse market here entirely.

10136. Do they make the same charge at Ballymena?—No; it is reduced to 11*d.* a dozen. Moreover, the merchants will not pay here for half or three-quarters of a yard, although they will pay for it in Ballymena.

At a courtleet, held at Ballymoney, on 5th of October, 1836, John Montgomery Casemont, esq., seneschal, and agreed to by Mr. Thomas M'Eldery, the proprietor of the market:—

	d.	
On each firkin of butter,	2	if sold.
On each hundred-weight of corn and potatoes, including beam, weights, and buckets,	3	if sold.
Each quantity of one and a-half hundred-weight of flax,	2	
Each pig, including porterage,	4	
Each sack of meal,	2	
Each bag of two hundred-weight,	1	

In grain markets, down weight (two pounds used) on bags of oats or other grain, 4*d.* and 6*d.* for each sack deducted; up to twenty stone, 1*d.* each; up to thirty stone, 2*d.* each; over thirty stone, 3*d.* each; on weigh-bridge, 3*d.* each.

COLERAINE, JANUARY 20, 1853.

COLERAINE, 20th January, 1853.

679.

Mr. T.H. Babington.

Mr. *Thomas Henderson Babington* examined.

10137. Do you reside in Coleraine?—I do.

10138. Are you one of the Town Commissioners?—I am.

10139. Can you give us any information as to the patent or authority under which the markets here were originally held?—Under a charter granted in the eleventh year of the reign of James I., which created a corporate body for Coleraine, with Aldermen, Burgesses, and Commonalty. There was also a second charter granted by Charles I.

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Mr. Chas. J. Knox.

Mr. *Charles James Knox* examined.

10140. Do you reside in Coleraine?—I do.

10141. Are you Chairman of the Town Commissioners?—I am.

10142. What are the market-days?—Monday, Wednesday, and Friday the grain markets, Saturday the general market.

10143. How many fairs are held in the year?—Four; the 12th of May, 5th July, 5th November, and 19th November.

10144. Who are the present proprietors of the fairs and markets?—The Town Commissioners, as successors to the old Corporation.

10145. Are tolls paid in the markets?—There are charges, but whether they are for tolls or for weighing I cannot say.

10146. Do you charge whether an article is sold or not?—Yes, if it is exposed for sale. The charge in the fairs used to be double the amount, and was only upon cattle sold. There used to be a man at the gate to swear parties whether they had sold or not, and this practice was found so objectionable, that a long time ago the toll was reduced to half the amount, and made payable upon all articles exposed, whether sold or not.

10147. What market accommodation have you here?—There is a large market square, with sheds and office, about a statute acre in extent, with three large standing beams and scales, and a weigh-bridge, and several small scales—I believe 140—for weighing potatoes.

COLERAINE. 20th January, 1853. 680. Mr. Chas. J. Knox.

10148. What articles of agricultural produce are sold there?—Wheat, barley, oats, rye, and grain of all sorts, potatoes, turnips, and all green crops, hay and straw, flax, pork, butter, meal, wool.

10149. Is there any other market?—There is a second market in an enclosed square, for the sale of sucking pigs and slips, and where a large quantity of cabbage and plants is sold in spring. Sheds are about being erected about that market. Then we have this market in the Diamond, under the court-house, where we are sitting. In the square around flat stands for fruit, cakes, brown linen, cloth, fish, vegetables, and different other articles are placed.

10150. Have you an enclosed fair-green?—There is an open space, about three roods in extent, used as a fair-green, but it is not enclosed; the public road runs through it.

10151. Is there any further market accommodation?—There are shambles, but they are private property.

10152. Is the sale of all agricultural produce confined to these market places?—I think grain is entirely. On Saturdays there is a great deal of flax and butter, in particular, sold and weighed at private stores and houses, without our knowledge, or our having any control whatever over it, in our opinion greatly to the prejudice of the markets and the business of the town, and to the injury of the farmers.

10153. Have the Town Commissioners appointed a weighmaster?—They have, and an assistant also appointed by us.

10154. Has the weighmaster been sworn under the 4th of Anne, c. 14?—I think not.

10155. What officers are employed in the markets?—A weighmaster, who is considered clerk of the markets, and an assistant, with about twelve or thirteen persons who act as scalemen and porters.

10156. Is there a sufficient number of beams and scales to weigh all the agricultural produce sold in the town if it were to go into the public markets?—I do not think there is at present, but we would instantly put up more if required.

10157. What amount has been expended by the Corporation or the Town Commissioners in building these markets?—About £2,700, not including repairs. We are now under a contract to lay out nearly £200 more in making new sheds.

10158. Was the £2,700 raised by debentures?—No, by mortgage and bonds, for which we are now paying interest at the rate of four per cent.

10159. Are the receipts of the markets in your own hands?—They are. The persons who collect the receipts account to us for them, and are paid fixed salaries.

10160. Were the markets ever leased?—They were leased by the Corporation to a man named Thomas Hall, whose lease expired in 1828; I do not know at what rent.

10161. Have you continued to collect the tolls charged by him?—They have been modified and reduced, particularly with regard to fairs.

10162. Does the land on which the fairs are held belong to the Town Commissioners?—It does.

10163. Do you pay rent for it?—Yes, in connexion with the Gas Company we pay £35 a year.

10164. Do you consider the fair-green a sufficient one?—No, I disapprove of it very much. I think both the locality and the extent are objectionable. The locality is very bad, exposed to blasts from the river Bann, upon a very steep incline, and the extent is too limited.

10165. Were the fairs always held there?—No, they were held in another part of the town, in a field rented from Lord Waterford, at ten guineas a year, and I think it was a much better place, but we had the other property and were bound to pay the rent on it, so the fairs were removed there in order to save so much money. I was not upon the board at the time, and, in my opinion, the removal was very injudicious.

10166. Do you think the fairs have decreased since?—The sales of cattle have decreased.

10167. Do you attribute that to the inconvenience of the place?—I would not say that, but I think it is one cause.

10168. Do you consider the system of weighing in private stores an objectionable one?—I think it very much so; a public market is much the best place, particularly for the seller; indeed for both parties.

10169. Would you be in favour of having public markets all over the country, with a rate of charge just sufficient to pay the expenses and interest upon the outlay?—I think so in all towns of sufficient magnitude to have a governing public body, but not applying the same principle to small towns, where some fairs may be held, and where there may not be a sufficient number of respectable inhabitants to create a governing body, such as exists in Coleraine and other places.

10170. Would you make it compulsory to all in such a market?—I think it would be a great advantage to the country, to the producers, and to the towns generally. I fully agree with you in the principle, that the charges ought not to become a source of revenue to the towns generally; but in our own instance the property was handed over to us by the old Corporation, by virtue of an Act of Parliament, which stated that the tolls were to be applied partly in aid of the taxation of the town.

10171. Would you be in favour of having the markets commence and close at a stated hour?—I would be in favour of commencing. We commence here at eight o'clock on Saturday, and ten o'clock on the other market days; but whether it would be advisable to limit the closing, unless a very extended time were allowed, I think is very questionable.

10172. Would you be in favour of an assimilation of weights and measures over the whole

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Mr. Chas. J. Knox.

country?—I think that one of the most important subjects you can enter into. I would be decidedly in favour of an uniform system over the whole country. A resolution was adopted by the Commissioners, on the 21st of October last, and other resolutions passed by them last night. A resolution was also proposed last night in favour of the adoption of the decimal system in weighing, which, after it had been considered for a long time, was lost by a majority of one.

10173. Upon what grounds was it lost?—I should say the argument was all upon one side, and the voting on the other.

10174. Would you be in favour of having enclosed fair-greens all over the country, with a small charge upon every thing entering?—I entirely approve of that system, and we have adopted it here.

10175. You would not allow any private proprietor, or public body, to charge for the use of the public streets?—Certainly not; the system is very objectionable.

10176. Would it not be desirable to obtain proper agricultural returns in all the markets?—I think such statistics would be most valuable for the use of the Government, and for trade generally.

10177. Do you think the clause in the Summary Jurisdiction Act, which limits the power of magistrates to cases where the value of the article does not exceed £5 an inconvenient one?—I think there must have been some confusion in the wording of the Act. It would be very advisable to limit the amount to be adjudicated upon to £5, the actual value in dispute; but it makes the Act almost useless when the jurisdiction is limited to questions in which the whole value of the article does not exceed £5.

10178. Have you inspectors of the markets here?—We have a pork inspector. I may remark, that in the cow-market the clerk cannot always collect the toll; and the market may, therefore, appear to have decreased much more than it has actually done.

681.
Mr. Babington.

Mr. *Babington* re-examined.—The original charter under which the markets are held is dated 28th of June, in the 11th year of the reign of James I.

10179. What does it grant in regard to markets and fairs?—To the mayor, aldermen, and burgesses of Coleraine, for ever, a common market, to be held upon Tuesday, Thursday, and Saturday in every week throughout the year, and a fair on the feast of SS. Philip and Jacob, continuing for the eight days next following; with courts of *pie poudre*, with all toll, charges, customs, and privileges. That charter was repealed and re-granted by Oliver Cromwell and Charles II.

10180. In what year of Charles II. was it re-granted?—In the 14th year of his reign, the 10th of April, 1662.

10181. Any other charter?—No.

10182. How did the market become changed to Monday, Wednesday, and Friday?—I believe the change was made by general consent without any patent or authority.

10183. Can you state how the one fair was changed into four?—I cannot say. We tried a monthly fair here, but it did not succeed.

10184. Would you be in favour of obliging all agricultural produce to be sold and weighed in the public markets?—I would, decidedly.

10185. Do you think it would be any restriction upon trade?—On the contrary, I think it would encourage trade. I think, also, the markets should open and close at a regular hour.

10186. Do you think the farmers, generally, would be willing to pay a small charge for proper accommodation?—I think they would.

10187. Would you be in favour of an assimilation of weights and measures all over the country?—Certainly.

10188. Do you think all agricultural produce should be weighed to the pound, standing beam, and all deductions abolished, except the actual weight of the sack or firkin?—Unquestionably.

10189. Would you be in favour of having enclosed fair-greens, supported by a small charge made upon all cattle entering?—I would; that is the course here, and it tends to much good.

10190. Do you consider your fair-green here sufficiently commodious?—Certainly not; it is very much exposed to the weather.

10191. Would it not be an advantage to obtain, in public markets, the agricultural statistics of the country?—Yes, it would afford very valuable information to the Government, and also to trade.

10192. Would you have penalties recoverable in a summary way for frauds practised either by the buyer or the seller?—Yes; and the more summary the jurisdiction and remedy the better.

10193. Do you think it would be desirable to have all butter inspected and weighed before sale?—Certainly.

10194. Would you have all the officers of the market sworn?—I would.

10195. Would you be in favour of having all empty firkins branded by the public officer in the market before sale?—They should be branded somewhere by the proper officer, and there should be no reduction made upon the actual weight.

10196. Of course, when a firkin, when new, weighed twelve pounds, you would have it branded fourteen pounds, to allow for soakage?—Certainly.

COLERAINE, *20th January*, 1853.

682. Mr. S. Laurence.

Mr. *Samuel Laurence* examined.

10197. Do you reside in Coleraine?—I do.

10198. Do you buy in this market?—Yes; I buy grain.

10199. Would you be in favour of having a public market, where it should be compulsory to sell and weigh?—Yes; if it were well conducted.

10200. Would you have it open and close at stated hours?—I would.

10201. Would you be in favour of an assimilation of weights and measures?—I would; and I think the decimal system ought to be adopted—weighing by one pound, ten pounds, twenty pounds, and one hundred pounds—and I think the same system ought to be extended to the coinage. It would give great ease and facility of making calculations, and the farmer would run no risk of mistakes.

10202. Would there not be great difficulty in making the change?—I think the change might be made very easily. The old weights could be melted down, and made over again. The system is found to work extremely well in America.

10203. Would you be in favour of paying the farmer for every pound of his produce, and abolishing all deductions?—Certainly; sweep them all off.

683. Mr. William Young.

Mr. *William Young* examined.

10204. Do you reside in Coleraine?—I do.

10205. What is your occupation?—I am weighmaster and clerk of the market.

10206. By whom were you appointed?—By the Town Commissioners, in 1850.

10207. Were you sworn?—I was not.

10208. What are the charges mentioned in the schedule?—[*Witness handed in the following*]:—

Schedule of Charges at present levied.

	d.		d.
Grain, a bag under twenty stone,	1	Hay and straw, per cart, including weighing,	4
„ above twenty stone,	2	Sucking pigs or slips exposed or sale,	1
Pork, for each dead pig,	4	Cabbage-plants, per cart,	2
Flax, under one hundred-weight,	1	Cows on fair-hill exposed for sale,	1
„ above one hundred-weight,	2	Sheep „ „	0
Butter, per firkin or crock,	2	Flat stalls in street,	2
Potatoes, per cart, including use of beams, scales, and weights,	4	Covered pedlar's stalls in street,	4
„ per sack,	1	Cart of young trees or thorn quicks in street,	4
Turnips and all green crops, per cart, including beams, &c.	4	Crockery, per cart, in street,	1½

10209. Is that an exact copy of your schedule-board?—It is.

10210. Is it exactly what you now levy?—No.

10211. Does the charge for toll include weighing?—It does.

10212. Suppose a person sells in the market and does not weigh, will he still have to pay?—I may or may not charge him, as I think proper.

10213. Do you give a ticket?—Yes.

10214. Do you keep a book?—I do.

10215. Is all the agricultural produce sold in your market?—No, a good deal of it is sold outside.

10216. Is all the produce sold in the market weighed there?—Nearly all, I think, except in some solitary instances.

10217. All the charges in the schedule are not levied now?—No.

10218. Can you give a list of the charges you actually make?—I can.

Copy of Schedule-Board exhibited in Market in 1830 by the late Corporation.

Schedule of Customs payable to the Worshipful Corporation of Coleraine.

	s.	d.		s.	d.
One boll of meal,	0	3	Flat stalls,	0	2
„ boll of oats or barley,	0	2	Covered stalls,	0	2
„ cow or horse coming for sale alive,	0	2	„ „ on fair-days,	0	2
„ sheep or pig „ „	0	1	Flat „ „	0	4
„ car of potatoes, weighing,	0	4	One load of plants,	0	2
„ sack „ „	0	2	Scollops,	0	4
„ load of cherries, custom and weighing,	0	6	Plough-timber, harrows, &c., per load,	0	4
„ load of oysters or cockles,	0	2	Wheel-timber or chairs per load,	0	4
„ load of white fish,	0	2	Crockeryware, per load,	0	1½
„ barrel of herrings,	0	1	Coping or head stones, per load,	0	3
„ car-load of vegetables,	0	4	Neck-collars or brackims, per load,	0	4
„ basket „	0	1	Advertisements,	0	4
„ hundred-weight of butter or cheese, custom and weighing,	0	2	One carcass of beef on shambles,	0	10
„ hide,	0	1	„ sheep or calf on shambles,	0	2
„ cake of tallow, custom and weighing,	0	1½	„ draught of kelp, three hundred-weight, each,	0	2
„ hundred-weight of salmon, custom and weighing,	0	6	„ hundred-weight of dullis,	0	2
„ sack of eels,	0	4	„ load of lemons or oranges,	0	2
Rabbits from one dozen to forty,	0	4	„ dead pig, custom and weighing,	0	3
			„ cart-load of apples or pears,	0	4
			„ sack „ „	0	2

1st January, 1830.

Hugh Lyle, *Mayor*.

10219. As you have a different schedule posted up, how does the farmer know what he has to pay?—He comes to me and, of course, if I lead him astray I am liable to be punished.

10220. How do you weigh corn?—We weigh wheat by 112 pounds, and all other grain by the stone.

10221. What are your charges on the fair-green?—One penny on every cow going in; only black cattle are sold there; pigs or horses never go there. If a horse is sold in the street we charge nothing.

10222. What for sheep?—We do not charge any thing; after I came to the market I found that my predecessor had dropped the charge upon horses and sheep altogether, and it would be very difficult to revive it.

10223. What do you charge for standings?—For flat stalls, such as fruit is exposed upon, 2*d.*; for pedlars' stalls, covered, we charge 4*d.* We charge 4*d.* for a cart of fruit; young trees and quicks, 4*d.* a cart-load; a load of crockery, 1½*d.* I may mention that if a party brought in grain and did not sell it, and that we charged him, if he came in the next day we would weigh it for nothing.

10224. What is your system of weighing corn?—Down weight, with two pound weights.

10225. Any deductions?—None.

10226. What would bring your scales, with a heavy draught, from standing beam to down weight?—I think half a pound would do it.

10227. Do you tare the empty sacks?—No, we take off four pounds for plain bags, and six pounds for sacks; if we were asked we would tare them.

10228. Is there any charge in the market for porters?—Not by us, but there are porters who frequent the market.

10229. Are they licensed?—They are not.

10230. Can any number of people come in and act as porters?—They can.

10231. If the farmer wished to do his own work, would he be allowed?—Certainly.

10232. These parties would not inconvenience him?—I never saw the slightest inconvenience.

10233. What are they paid?—Generally 1*d.* a load.

10234. What is your system of weighing pork?—By the 112 pounds, to the two pounds, down weight.

10235. What deductions do you make?—We give the ticket in gross.

10236. You do not take eleven pounds off in the scale?—No.

10237. What does the merchant deduct?—He buys by the 120 pounds, and deducts ten pounds off every pig.

10238. What does he charge?—Two pence for the public house or office.

10239. Are there not offices in the market?—There are.

10240. Do the persons who get offices for nothing there charge 2*d.*?—They do.

10241. Is there any greater deduction upon a wet day?—No.

10242. How does the merchant bring the weight from short hundreds-weight into long?—By deducting eight pounds from every hundred-weight.

10243. Where there are odd pounds do the merchants ever deduct them from the twenty-eight pounds instead of thirty pounds?—I never heard of that being done.

10244. How do you weigh butter?—To the pound, down weight, and no deduction.

10245. What deduction does the merchant make?—He deducts fourteen pounds tare and only pays for seventy-two pounds in each firkin, although I have weighed some containing three pounds more.

10246. Does he deduct any beamage?—No; even if a white firkin were only branded ten pounds, he will not pay for more than seventy-two pounds.

10247. What charge does he make?—I believe 2*d.* a firkin for an office.

10248. How do you weigh flax?—By the hundred-weight of 112 pounds, down weight, to the pound, and give the ticket for the gross weight.

10249. How does the merchant buy it?—By 124 pounds.

10250. Does he make any deduction for beamage?—No.

10251. Does he make any change?—Not that I am aware of.

10252. Is the farmer paid for odd pounds in flax, pork, and grain, at the full price?—The merchants come as near as they can, but still they keep upon their own side.

10253. Is the farmer paid for any thing under half a stone of grain?—No; he will not be paid at all for it. In pork and flax, he is paid as near the fraction as the merchant can come.

10254. How do you weigh potatoes?—By the stone, down weight, to the pound. In weighing sacks of potatoes, we weigh to the two pounds, just the same as grain.

10255. What is the largest quantity of flax you will weigh?—Any thing under two hundred-weight.

10256. Why do you not weigh beyond that?—That is the regulation of the market; the scales would not conveniently hold more.

10257. How do you weigh on the weigh-bridge?—To the fourteen pounds.

10258. Have you ever heard of frauds practised in weighing at the private stores?—I cannot say I have.

10259. Does your system of weighing generally give satisfaction?—I believe so.

10260. Are the markets increasing?—They are.

10261. Do you keep a copy of every ticket in the book?—I do.

10262. If a man lost his ticket, and came back next day, could you give him a copy of it?—I could, at any time.

10263. Could you make out a return of every thing sold in the market?—Yes; I do so monthly.

COLERAINE, 20th January, 1853.

683. Mr. William Young.

10264. Do you enter the prices?—No; I could not do that; for we weigh grain two hours before it is sold, and we know no more about it.

10265. Are there many frauds in the butter market with regard to tares?—Yes; and the merchants were so much annoyed at the casks being too heavy, that they drew up this memorial, which was signed by them all.

At a Meeting of the Commissioners of the borough of Coleraine, held on the 21st day of October, 1852, for the purpose of considering the state of the markets, with the view to be able to lay full information before the Government Commission now in progress, the following resolutions were passed:—

"Resolved—That it be recommended to the Government Commission, that all firkins or cases containing butter, shall be stamped with the correct weight, by the proper officers in each county, appointed for stamping weights and measures; and that a penalty, not exceeding £5, be imposed and recoverable in a summary manner on every person exposing for sale any such firkin, case, or vessel, of a greater weight than that so branded thereon, a tare for soakage of one pound for every six pounds of wood, being allowed."

"Resolved—That it be recommended to the Commission, that all commodities be sold, bought, and weighed, by the standard imperial weights of 112 pounds to the hundredweight, and the several aliquot parts thereof, any custom or agreement to the contrary notwithstanding; and that all articles sold by measure shall be by the regular standard measures, and that no tare or allowance shall be allowed unless for the cask or other thing in which the article or commodity is contained."

Daniel M'Gonegal,

Clerk to the Commissioners.

At a subsequent Meeting of the Commissioners, held on the 19th January, 1853, for a similar purpose, the following resolutions were passed:—

"Resolved—That it be recommended to the Commission, that all marketable commodities brought into market towns for sale, shall be sold in the public market-place, and weighed in the public scale there, except when same are sold by any inhabitant in his own shop or warehouse in said town, under a penalty, with power to the governing body to enforce the same"

"Resolved—That we recommend that a system of universal inspection of marketable produce be instituted by competent officers, to be appointed by the governing bodies of the several market towns, with necessary powers for penalties or forfeiture; and that said inspector have power to brand the weight on, and mark all firkins and other vessels used for packing butter or other commodities, instead of the county inspector of weights and measures, as recommended in the resolution of 21st October, 1852."

Daniel M'Gonegal,

Clerk to the Commissioners.

10266. What was the greatest excess over the brand you knew of?—I think four or five pounds.

10267. Have you coopers here?—Yes; the coopers have told me that if they did not make the casks heavy they would lose the sale of them.

684. Mr. John Black.

Mr. *John Black* examined.

10268. Where do you reside?—Near Coleraine.

10269. Are you a farmer?—Yes; I farm upwards of 100 acres.

10270. Do you sell in the market?—Very seldom.

10271. Why?—Because there are frauds upon both sides. I have seen firkins too heavy, and, on the other hand, I have seen merchants refuse to allow farmers to take the over weight of butter out of their casks. I would be very glad to see the market properly and honestly adjusted.

10272. Would you be in favour of a proper well-regulated public market?—I would.

10273. Would have the farmer paid for every pound, abolish all deductions, and secure to the merchant that he received the produce in a properly made-up state?—Decidedly.

10274. Would you be in favour of an assimilation of weights and measures over the whole country?—That is what I am most anxious for.

10275. Would you have firkins branded by sworn officers before sale?—Yes; that would be a great credit to our Irish merchants when they go to Liverpool; for I have heard the people there frequently branding us with injustice.

10276. Would you be in favour of the market commencing and closing at a certain hour?—I would be in favour of its commencing; but with regard to closing, I would be very sorry to have the time too short. If the market were rightly managed, we would have a great many farmers from distant places, who might be travelling in all night and part of the day, and it would be very hard to close the market upon them. I would have the market begin at a fixed hour, but not close; and I am sure I can get 1,000 farmers to agree with me. With regard to flax, I wish to remark that I would prefer weighing with some buyers here than at the public crane, because they will weigh a large draught.

10277. Would you be in favour of having the fairs removed out of the streets into proper enclosed fair-greens?—I would.

COLERAINE, 20th January, 1853.

684. Mr. John Black.

10278. Would you object to pay a small charge to support them?—I would not. I think 1*d.* a head would be a fair charge, and I think there should be no cattle or stalls in the public streets, for they block up the thoroughfare and have no right to be there at all. The streets ought to be kept clear, and let the Town Commissioners provide market-places for these stalls.

10279. Would you be in favour of having an inspector in every public market to decide disputes?—I am quite in favour of having all the officers sworn, and one of them selected to do justice between the buyer and the seller. There should be a market jury to decide upon the amount of the fraud, but let the inspector say what was fraud. There is a regulation made here to weigh every thing under twenty stone for 1*d.* Now, I think under twenty-four stone would be very fair to weigh for 1*d.* It is not for the value of the thing, but that is just about a fair weight for bags. I also think it is too much for farmers to have to pay 4*d.* for the privilege of standing in the streets with their potatoes.

Mr. *James Gillmore* examined.

685. Mr. James Gillmore.

10280. Where do you reside?—Six miles from Coleraine.

10281. Are you a farmer?—Yes; I farm from 200 to 300 acres.

10282. Do you sell in this market?—I do, for the most part.

10283. Do you think the arrangements well conducted?—I left the market altogether in the article of butter, but that was a long time ago; and now I am happy to say we have got a good chairman of the Town Commissioners, and Mr. Young in the market, and confidence is very much restored.

10284. Would you be in favour of public markets, with proper accommodation and sworn officers, where every thing should be sold and weighed?—Most certainly.

10285. Do you think it would be any hardship upon the farmers to be obliged to go there?—No, but a great benefit.

10286. You would not object to pay a small charge to support it?—By no means.

10287. Would you be in favour of an uniform system of weighing throughout the entire country?—Yes, according to the decimal system; and I would with great pleasure have my set of weights melted down, and altered according to that system. If it were adopted you would not require to educate your children in calculation at all, for anybody can count ten upon his digits.

10288. Would you be in favour of paying the farmer for every pound of his produce, and abolishing all deductions, except the actual tare of the empty sack or firkin?—Exactly so.

10289. Would you be in favour of having the markets commence at a stated hour?—Yes; but I do not think it would be judicious to close at a fixed hour. For instance, when there were potatoes in the market, which I hope we will have there again, I have often seen poor people, when they had not obtained their wages in time, buying potatoes by candlelight.

10290. Would you be in favour of having sworn inspectors in the markets to decide disputes?—Most assuredly.

10291. Would you have all firkins branded before sale?—I would. It was in consequence of some disputes about butter I left the market, and some of the merchants strongly objected when the proposition was made to have all the firkins stamped by the public officer.

10292. Would you be in favour of having enclosed fair-greens?—I would.

10293. Would you object to pay a small charge to support a proper enclosed fair-green?—Certainly not; and I would like to have the charge made on going in, whether the cattle were sold or not sold.

Mr. *Hugh Belles* examined.

686 Mr. Hugh Belles.

10294. Do you reside in Coleraine?—I do.

10295. Do you purchase in this market?—Yes; grain and flax.

10296. Would you be in favour of having a general market, with proper accommodation and sworn officers, where all produce should be sold and weighed?—Certainly.

10297. You do not consider that it would be any restriction on trade?—By no means.

10298. Do you think the system of weighing in private stores objectionable?—Very much so.

10299. Would you be in favour of an assimilation of weights and measures all over the country?—Certainly; and adopt whatever was decided upon as being the best system.

10300. Would you be in favour of abolishing all deductions such as beamage and tret?—Decidedly.

10301. Would you have the markets commence at fixed hours?—Yes, and close also; giving, of course, sufficient time. If persons are aware that the markets will close at a certain hour they can make arrangements to transact other business afterwards.

10302. Would you approve of having an inspector in every market to decide disputes?—Certainly.

10303. Do you think it would be desirable in such a market, with proper officers, to obtain accurate agricultural statistics?—It would be a great advantage.

10304. Would you be in favour of having enclosed fair-greens?—Decidedly.

10305. Do you consider the fair-green here sufficient for the purpose?—No, indeed.

COLERAINE, 20th January, 1853.

Rev. *Joseph Macdonnell* examined.

687. Rev. J. Macdonnell.

10306. Where do you reside?—About a mile from town.

10307. Are you in favour of public markets, such as have been described?—Certainly. I have seen in this town, what the injurious effects are of not having a public market. I have seen continual disputes between sellers and purchasers, with regard to weights, prices, and samples. Articles are constantly bought in one part of the town at what is called the highest price, and when the party goes afterwards to inquire, he finds that higher prices have been given in another place. All this, of course, would be remedied, if there were a public market. I have known constant disputes, with regard to weighing in private stores.

10308. Have you known of any frauds?—I cannot say I have known them myself, but I have heard reports of frauds.

10309. Do you consider the system of weighing in private objectionable?—Very much so.

10310. Would you be in favour of an assimilation of weights and measures all over the country?—Most decidedly. I am quite certain, if the people generally were accustomed to the decimal system, that they would find it afford the greatest facility in counting. At the same time, of course, for a little while, persons accustomed to the old system might find it somewhat difficult; but in the end it would be far the most easy.

10311. Would you be in favour of paying the farmer for every pound of his produce, and let the prices be regulated accordingly?—Certainly. Suspicion is created by the present system in the minds of the farmers that they have not got what they are entitled to receive. I have myself frequently, although believing myself pretty well versed in arithmetic, found it difficult to make up the calculations for the farmers.

10312. Is not the system of deductions calculated to make parties dishonest?—I am quite sure that a number of farmers come into the market with the design, that if they are overpaid, they will make it a set off against the many deductions which they think are unjustly made upon them. On some occasions, in making up the calculations for farmers who had sold flax, I found that the merchant had by some mistake, overpaid, and I had great difficulty in persuading them that it was right to give it back; for they said it would not make up for the ten pounds or eleven pounds taken off each pig. I think the whole system very much calculated to destroy the morals of the people.

10313. Would you be in favour of having enclosed fair-greens?—Certainly.

10314. Would it not be desirable to obtain accurate statistics in every public market?—Certainly.

10315. Would you be in favour of summary penalties for frauds by either party?—Decidedly. In many cases, the merchants who wish to do what is right are subject to suspicions to which they would not otherwise be exposed.

688. Mr. James Carson.

Mr. *James Carson* examined.

10316. Do you reside in Coleraine?—I do.

10317. Would you be in favour of having all agricultural produce weighed and sold in the public market?—Certainly; that is the main thing about which I wish to speak. It is very injurious to have produce offered for sale at private stores. I knew an instance lately, where a farmer sold butter which he had weighed before he left home, and it came some pounds short at the private store where he weighed, and the buyer would not allow him any thing, or allow it to be taken out of the place and tested; he told the farmer if he did not like the weight he got he might take the butter home. Such cases very frequently occur. The greatest possible inconvenience also arises from not having an uniform system of weights. I think, too, that every thing ought to be paid for just as it is weighed. I think a hundred-weight should be 100 pounds, and have no deduction. It would also be a great service to the country to have some statistical information made up from the market returns.

689. Mr. James Moore.

Mr. *James Moore* examined.

10318. Do you reside in Coleraine?—I do.

10319. Are you in favour of a public market?—I am.

10320. Are you in favour of an uniform system of weighing and abolishing all deductions?—I am, and I think adopting the decimal system would simplify business very much.

10321. Do you think the change would cause much confusion?—Not if an act were passed to come into operation, say upon the 1st of August, which would give time to prepare for the change. I think the weighmaster in the markets ought to weigh gross, and let the merchants weigh the casks or sacks, and deduct the weight. In regard to fairs, I would recommend having it made compulsory to provide and use enclosed fair-greens, and have some sheds erected where the buyer and seller could transact their business, which in bad weather would be very much required.

Receipts and Expenditure, &c.

RECEIPTS and EXPENDITURE in the COLERAINE MARKETS for the three years ending 31st August, 1850, 1851, and 1852.

Dr.

		£	s.	d.
Aug. 31, 1850.	To amount of tolls and customs for the year ended this day,	534	15	6½
Aug. 31, 1851.	To amount of tolls and customs for the year ended this day,	570	15	11½
Aug. 31, 1852.	To amount of tolls and customs for the year ended this day,	587	0	2

RECEIPTS and EXPENDITURE in the COLERAINE MARKETS, for the Three Years ending 31st August, 1850, 1851, and 1852—*continued.*

Cr.	£	s.	d.
Aug. 31, 1850. By amount of rent, taxes, interest, repairs, wages, printing, and stationery,	316	6	2
Aug. 31, 1851. By amount of rent, taxes, interest, repairs, wages, printing, and stationery,	334	5	10
Aug. 31, 1852. By amount of rent, taxes, interest, repairs, wages, printing, and stationery,	336	14	1

EXPENDITURE for the year ending 31st August, 1850.

	£	s.	d.
Rent of Coleraine market annually,	32	13	4
Interest on £2,700, at 4 per cent., for outlay of money expended on the erection of the markets,	108	0	0
Local and county taxes,	10	0	0
Deputy clerk of market's salary,	24	0	0
Labourers' wages,	126	12	11
Sundry expenses for printing, &c., &c.,	14	19	11
	£316	6	2

EXPENDITURE for the year ending 31st August, 1851.

	£	s.	d.
Rent of Coleraine market annually,	32	13	4
Interest on £2,700 at 4 per cent. for outlay of money expended on the erection of the markets,	108	0	0
Local and county taxes,	10	0	0
Clerk of market's salary,	60	0	0
Deputy's do.,	21	0	0
Labourers' wages,	79	10	2
Sundry expenses incurred by erection of offices for weighing grain, and dead pigs, fitting up private office, baskets for weighing potatoes, printing and stationery, &c.,	23	2	4
	£334	5	10

EXPENDITURE for the year ending 31st August, 1852.

	£	s.	d.
Rent of Coleraine market, annually,	32	13	4
Interest on £2,700, at 4 per cent., for outlay of money expended on the erection of the markets,	108	0	0
Local and county taxes,	10	0	0
Clerk of market's salary,	60	0	0
Deputy do.,	21	0	0
Labourers' wages, including a sum paid to the late clerk of the market, for services at the market weekly,	92	2	4
Sundry expenses incurred for printing, stationery, lights, &c., &c.,	12	18	5
	£336	14	1

WM. YOUNG, *Clerk of Markets.*

AMOUNT of MONEY EXPENDED in MARKETS.

Money Expended.

In May, 1828, the lease of the tolls expired, and the Corporation resolved to build a market for the sale of grain, pork, butter, flax, and oil. The ground taken from John Boyd, 1st October, 1828.

£	s.	d.	
1,500	0	0	Borrowed at 5 per cent.
892	13	8	Afterwards.
211	12	10	Paid besides.
£2,604	6	6	Total cost by late Corporation.
100	0	0	By present Commissioners.
£2,704	6	6	

To the COMMISSIONERS of the BOROUGH of COLERAINE.

Suggestion of Butter Merchants.

GENTLEMEN,

We, the undersigned, purchasers of butter, would beg respectfully to suggest to your Board our conviction of the great advantage that would arise to that trade by your procuring a clause, to be inserted in the Bill now before Parliament, for the better regulation of markets in borough towns in Ireland, empowering Commissioners to appoint a respectable person to "brand butter firkins" with their real weights, allowing two pounds for soakage before being filled with butter; as although it appears by the present Bill, that

COLERAINE. 20th *January*, 1853.

Suggestion of Butter Merchants.

the person selling a firkin of butter, the weight of the wood being more than by law is allowed, is subject to a penalty, sufficient, it would be thought, to deter from fraud, yet the impossibility that exists for merchants to test the weight of each cask would, in a great measure, nullify this provision. We, therefore, are of opinion that the clause above referred to, would be highly advantageous, and would effectually prevent fraud, as our conviction is that branded casks would, in all cases realize a higher price than unbranded ones, and also give a certainty to the buyers. We think it would have a tendency to raise the price of butter in this market.

We are, Gentlemen, your obedient servants,

John Lynd,	J. R. Wilson,
John Doherty, & Co.,	Stewarts and Motherwell,
William Irwin,	David Kennedy,
John M'Vicar,	Samuel Patten,
Hugh Hamil,	Samuel Boyd.

Coleraine, *February*, 1851.

Farm Produce sold.

Amount of the various articles of farm produce sold in the Coleraine Markets during the years ending 31st of August, 1851 and 1852.

	1851.	1852.
	Tons. cwts. qrs. lbs.	Tons. cwts. qrs. lbs.
Oats,	3,656 15 2 0	4,233 15 3 0
Bere,	463 18 0 17	549 17 2 20
Wheat,	177 6 2 4	134 0 0 16
Rye,	8 14 3 18	10 0 0 22
Beans,	70 7 3 11	65 10 2 8
Pork,	712 13 2 0	702 6 0 14
Butter,	60 10 3 2	50 19 2 13
Flax,	374 0 2 20	507 8 1 26
Hay,	641 10 1 7	718 1 3 14
Straw,	180 15 1 0	200 17 3 0
Oatmeal,	10 9 1 14	7 11 2 17
Potatoes and vegetables,	1,747 0 0 0	2,112 10 0 0
	Number.	Number.
Sucking pigs,	1,805	1,403
Grown pigs,	277	569
Black cattle,	3,746	3,131
	Carts.	Carts.
Cabbage plants,	341	158

Wm. Young, *Clerk of the Markets.*

NEWTOWN-LIMAVADY. 21st *January*, 1853.

690. John Martin, esq.

Newtownlimavady, January 21, 1853.

John Martin, esq., examined.

10322. Are you Clerk of the Crown for this County?—I am; and a Town Commissioner of Newtownlimavady.

10323. Under what patent or authority were the markets in this town established?—The whole manor and patent were originally granted to a person named Philips, in the eleventh year of the reign of James I., 1613; the whole county was forfeited in the beginning of that reign, and an inquisition was held throughout the North of Ireland, when Sir John Davis was Attorney-General; the county was granted to the Londoners, and subdivided among the twelve London Corporations; there was a body out of the General Corporation of London, which has remained ever since under the name of the Irish Society; they had the city of Derry, and the town of Coleraine, and their liberties, for three miles around each; the three miles at the western side of the Foyle, which runs through Derry, were taken out of the county Donegal, and those to the east of the Bann, which runs through Coleraine, out of Antrim. Philips was a person sent over for the purpose of dividing the land among the twelve companies, and he did so to their great satisfaction; so much so, that, in return, they gave a certain number of acres for his own trouble. He was very competent, and selected the two best bits of the whole country for himself,—this manor and the manor of Castledawson.

10324. Did he get them in fee?—Absolutely in fee. Afterwards the grant made by James I., for an inquisition, to find out who the former proprietors were, took place in August, 1609; Philips then got a grant direct from the Crown for himself; in the reign of Charles II., the Star Chamber held an inquiry, and there was a second charter granted, some of the undertakers, as they were called, having forfeited their rights; Philips, however, did not forfeit his. William Conway, who was Speaker of the Irish House of Commons, purchased the manor from Philips; it came to the Right Hon. Thomas Conway, in 1782, and after his death, it was sold to Mr. O'Gilvie.

10325. Who is the present proprietor of the town?—Mr. James O'Gilvie.

10326. Can you say whether the grant to Philips gave him the markets and fairs?—I cannot.

10327. Who are supposed to be proprietors of the market at present?—They have been lost sight of altogether; Mr. Harvey Bruce, a clergyman of this neighbourhood, was provost at the time of the Union, and continued so for a considerable number of years, and, as being provost, he claimed a right to the tolls and customs; Mr. John Ross, the principal magistrate here, was the person who subsequently, for a considerable number of years, claimed the rights, and they were conceded to him, as successor of the provost, when that title ceased after the Union.

10328. In the event of a public market being established here, who would be the proprietors?—I should think the Town Commissioners, as successors to the Corporation; tolls were collected here until 1817 or 1818, when a person who brought a parcel of sheep here called upon the collectors to show their schedule, and refused to pay; he defied them to take the sheep, and said he would contest the matter; they did not seize, and tolls were not paid after.

10329. What were the market-days in the patent?—Monday, and a fair upon the 1st of July, old style.

10330. What markets are held now?—Monday is the general market, and there is a grain market on Tuesdays and Fridays.

10331. Is no grain sold on Monday?—Meal is, but not grain.

10332. When were the other markets established?—In 1821, by general agreement.

10333. Was there no patent or authority?—None.

10334. How many fairs are there now?—Four fairs, properly so called, besides one, which is only a horse fair, recently established on the second Monday in February; the four fairs now are, the 12th of July, which is the old fair, the 28th of March, the 13th of June, and 29th of October.

10335. Were these fairs established under any patent or authority?—Not that I know of.

10336. Are tolls paid at either markets or fairs?—None of any kind; they have not been collected for upwards of thirty years.

10337. Are there enclosed public market-places?—No.

10338. Are the fairs held in the streets?—They are.

10339. Has a weighmaster been appointed for the market by the Town Commissioners?—No.

10340. Are there public beams and scales?—No.

10341. Where is the produce brought into the town sold?—At private markets which were established,—one by Mr. Edward Boyd, in 1820, I presume, in consequence of the want of markets here, for grain, on Tuesdays and Fridays.

10342. Did he get any permission from the Corporation?—I do not think he got permission from anybody, it was merely a speculation; flax, butter, and pork, are sold on Mondays.

10343. Of course it is quite optional to make use of that market?—So much so, that a rival one has been established.

10344. What accommodation is there in Mr. Boyd's market?—It is enclosed, and there is a shed for weighing, with a beam and scales for flax, another for grain, and a weigh-bridge outside.

10345. Of course the persons employed by Mr. Boyd there are his private servants?—Certainly.

10346. Does he charge for weighing?—He does.

10347. When was the second market established?—It was established in 1837, by John Hunter, on the same days as Mr. Boyd's, and for the same produce.

10348. Would the one market be sufficient for the town?—Certainly not.

10349. What accommodation is there in the second market?—Two beams and scales, and a weigh-bridge.

10350. Is any agricultural produce sold in the streets?—Flax, potatoes, and turnips are, also turf.

10351. Is any grain sold in the streets?—It might occur in case of a very great crowd, but it would go into the market to be weighed.

10352. Is it not very inconvenient to have the fairs held in the public thoroughfares?—It is complained of very much; but I, myself, do not object to them. If an enclosed fair-green could be got free, it would give more satisfaction; but I do not think people would like to pay.

10353. Would it not be for the farmer's advantage to pay a small toll and get a good standing where his cattle could be seen?—I would prefer it myself.

10354. Would you be in favour of having properly-enclosed markets, with sworn weighmasters and good accommodation, where all produce should be sold?—I do not see the very great advantage; I think they are all very well as they are. I never heard any complaints here against the weighmasters. I wish to remark that we are under very peculiar circumstances here, as regards the weights and measures. By the Act of 5 & 6 Wm. IV., a county inspector was appointed, and the Summary Jurisdiction Act of 1850 enabled the police to perform the duty. In 1851 there was another Summary Jurisdiction Act passed, which differed materially from the previous Acts. By the Act of 1850, the head constable was authorized to perform all the duties, and the Grand Jury were directed to provide him with what are called sub-standard weights and measures. The second Act of Parliament does not empower the head constable to stamp; and a case occurred in Coleraine, in last October, where a man who was fined before the magistrates for using unstamped weights, came two or three days after to the head constable and asked him to stamp them, which the head constable could not do.

NEWTOWN-LIMAVADY, 21st January, 1853.

690. John Martin, esq.

10355. Have you no county inspector now?—No. The sub-inspector has brass weights and measures.

10356. Would you be in favour of an assimilation of weights and measures all over the country?—Decidedly; one uniform system; weigh to the 112 pounds, and pay for every ounce, and allow no tret or deduction whatever. I think the most unsatisfactory thing that can possibly be is, the variety of names given to all the different measures. Barrels, I think, should be done away with entirely. We have twenty-one stone of barley, eighteen of oats, and twenty of wheat, here. We sell wheat by the barrel here alone; in the counties of Meath, Louth, and Dublin, they take wheat at five stone to the bushel, oats, four, and barley three and a-half. Here we use six bushels of barley, at three and a-half stone to the bushel. With regard to pigs, I would do away altogether with the deduction of ten pounds or eleven pounds.

10357. Have you ever considered how the decimal system would work?—I would approve of it very much.

10358. Do you find any inconvenience arise here from the clause in the Summary Jurisdiction Act limiting the jurisdiction of the magistrates to cases where the value of the article is under £5?—Very great inconvenience.

10359. Would it not be better to have £5 the amount of the fraud attempted?—I think it would.

691. Mr. Edward Boyd.

Mr. *Edward Boyd* examined.

10360. Do you reside here?—I do.

10361. Did you establish a market here?—I did, in 1820, for the sale of grain on Tuesdays and Fridays, and general produce upon Mondays.

10362. Did you obtain any patent?—None whatever. I got the signatures of gentlemen of the town, and the principal farmers of the country, stating that they would attend the market.

10363. Then it was established entirely upon speculation?—Entirely.

10364. You have never been opposed by any patentee?—Never.

10365. Have you any schedule of charges?—No.

10366. Would you allow a person to sell and go out without weighing?—I knew very few persons attempt it.

10367. What are your charges?—One penny a bag, under twenty stone; 2*d.* a sack.

10368. No higher charge?—None.

10369. If there were twenty stone seven pounds in a bag, what would you charge?—Only 1*d.*

10370. What other charges have you?—Three pence and 4*d.* a pig, according to the size; flax, 2*d.* a hundred-weight. We weigh six score four pounds.

10371. If you weigh half a hundred-weight what do you charge?—One penny.

10372. What quantity will you weigh?—We would not like to weigh more than seven score.

10373. What do you charge for butter?—Two pence a firkin, or crock, or butt.

10374. What do you charge upon the weigh-bridge?—If the load is light we only charge 3*d.*, but if it is heavy, 4*d.*

10375. What do you charge for potatoes?—If they are weighed in bags, just the same as grain; and if they are weighed in carts, on the weigh-bridge, just the same as other loads.

10376. Do you charge porterage?—No.

692. Mr. Hugh M'Geehan.

Mr. *Hugh M'Geehan* examined.

10377. Do you reside in Newtownlimavady?—I do.

10378. What is your occupation?—I am clerk to Mr. Boyd.

10379. Do you keep a book?—I do.

10380. And give a ticket?—Yes.

10381. If a person does not weigh do you make any charge?—None.

10382. How do you weigh corn?—Down weight, with four pounds weight.

10383. If it will not bring the scale down, do you throw out four pounds?—I do.

10384. Do you make any deduction?—No; I give the ticket gross weight, and the purchaser deducts the tare—five pounds for a bag, and seven pounds for a sack.

10385. Does the purchaser deduct any beamage?—No, nothing of the kind at all.

10386. Does he make any charge?—None whatever.

10387. What will bring your scale from standing beam to down weight?—One pound, with the heaviest draught.

10388. Then the farmer may lose more than four pounds from standing beam?—He may from standing beam, but not from our idea of weight.

10389. What is your system of weighing pork?—We weigh by 112 pounds, down weight, to two pounds, and give the ticket gross, deducting nothing.

10390. How does the merchant buy?—By 120 pounds, deducting ten pounds, and sometimes eleven pounds, for every pig.

10391. What is that for?—I never knew what it was for.

10392. I suppose if the pig only weighed ten pounds, the merchant would take it all and pay nothing?—Just so.

10393. Do the merchants make any charge?—I understand in some cases they keep 2*d.* for what they call the "house," but I do not think there is any charge for porterage.

NEWTOWN-LIMAVADY, 21st January, 1853.

692. Mr. Hugh M'Geehan.

10394. In bringing the weight into long hundreds-weight, are odd pounds deducted from the quarter of twenty-eight pounds?—No, of thirty pounds.

10395. Have you ever heard of frauds practised by deducting from the twenty-eight pounds?—No, I never did.

10396. Do the merchants pay for odd pounds at the full price?—No, they pay at the next lowest even price.

10397. How do you weigh butter?—To the pound, down weight, and give the ticket in the gross.

10398. What does the merchant deduct?—The firkins generally are branded eight pounds, and he takes off ten pounds.

10399. If the firkins were branded twelve pounds, would he take off fourteen pounds?—He would.

10400. Does he pay for every pound of butter?—He does. About three years ago the merchants only paid for seventy-two pounds, but now they pay for every pound.

10401. Do they ever strip the firkin and deduct the actual weight?—Sometimes.

10402. Do they then take the two pounds?—They do not.

10403. Do they make any charge for cooperage?—At the time the market was established, the merchants came from Ballymoney and Coleraine, and they charged 4*d.* a firkin for carriage, and up to this day the buyers take 6*d.* a firkin, and pay us 2*d.* In buying butts, one pound to the score is taken off by the buyer. I believe it was the Derry people who established that rule.

10404. What is deducted off lump butter?—I do not think there is any deduction.

10405. Do the buyers charge carriage for butts and lumps?—Four pence for butts, but nothing for lumps.

10406. Does every merchant qualify his own butter here?—He does.

10407. How is flax weighed?—In scores or pounds, to the pound down weight. We give the ticket in gross, and the buyers purchase by the hundred-weight, of six score four pounds.

10408. Does he make any deduction?—No.

10409. Suppose a quantity of flax weighed one hundred-weight twenty-eight pounds, would the seller be paid at the same rate for the twenty-eight pounds?—No; at the next lowest even price, and one pound would be deducted, if it were over fifteen pounds.

10410. What is that for?—I do not know; custom, I suppose.

10411. Is any charge made for storage?—None.

10412. Is this a large flax market?—It is a very good flax market.

10413. Do you make any charge if you keep flax in your stores?—Nothing whatever.

10414. How are potatoes weighed?—Potatoes in sacks are weighed the same way as corn, by the stone of fourteen pounds.

10415. Do the buyers pay for odd pounds?—Not for any thing under seven pounds.

10416. If a man had only one sack?—Even so; he would not be paid for six pounds.

10417. How do you weigh on the weigh-bridge?—To the seven pounds.

10418. Would you put seven pounds in the ticket?—We do.

10419. Do you keep porters in the market?—Yes; paid by Mr. Boyd.

10420. What is your staff?—Myself, another clerk, a man who weighs, and generally six men as porters on market-days.

10421. Do you give a ticket in every instance?—Yes.

10422. Could you tell at the end of the year the quantities weighed?—I could; but not the kinds of grain.

693. Mr. John Hunter.

Mr. *John Hunter* examined.

10423. Do you reside in this town?—I do.

10424. Do you keep a market?—I do.

10425. Is the system of weighing, and the scale of charges, the same as at the other markets?—Just exactly the same.

694. Mr. George Cavagh.

Mr. *George Cavagh* examined.

10426. Do you reside here?—I do.

10427. Do you purchase in the market?—Yes. I am a miller, and in the grain trade.

10428. Do you buy in both markets?—I do.

10429. Is the system of weighing the same in both markets?—It is.

10430. And the charges?—Just the same. It is inconvenient to the buyer to have two markets, for it causes great loss of time; but they are very fair markets, and the competition between the two is such, that the seller generally gets fair play.

10431. Would you be in favour of having all over Ireland, properly regulated public markets, where it should be compulsory to have all agricultural produce sold and weighed?—Certainly; I would much prefer it. It would be a great advantage to the farmer and the town generally, for a certain supervision is very much required. It would also very much facilitate business.

10432. I suppose you would have the charge nothing more than would support the market, and pay interest upon the money expended?—Nothing more.

10433. Would you be in favour of having the market commence at a fixed hour?—I would; and let each town fix the hour for itself.

10434. Would you have it close at a regular hour?—I would, for the same business would be done in much less time. I also think there should be a public inspector in every

NEWTOWN-LIMAVADY. 21st January, 1853.

694. Mr. George Cavagh.

market, who would be quite independent both of the buyer and the seller. Here we find it necessary to have an inspector, who is paid principally by the buyers, and it is more his interest to keep right with the buyers than with the sellers. If there was not some check upon the seller, however, there would be a great deal of grain brought fraudulently made up. I would have public inspectors for pork and flax also, and have them public prosecutors in case of fraud. I would also wish to have better defined powers of summary jurisdiction given to the magistrates.

10435. Instead of having £5 the value of the article, as a limit, would it not be better to have it the value of the fraud attempted?—I think that would be sufficient; and it is very much required.

10436. Would you be in favour of an assimilation of weights and measures all over the country?—I would. There is an immensity of trouble, and a great deal of time lost, in making up calculations at present, unless you have tables to refer to, which you cannot be always carrying about; and there is a great deal of misapprehension consequently. I also think it would be a great improvement to introduce the decimal system.

10437. Do you think the change could be made without great inconvenience?—I do; I think the only objection is the prejudice against altering an old custom. If there is to be any change, it is much better to go to the root of the matter at once.

10438. Would you be in favour of weighing all produce to the pound, standing beam, paying the farmer for every pound, and letting the merchant regulate his price accordingly?—I think it would be much better; although here the sellers are very well treated.

10439. Would it not simplify matters to weigh the sack in all cases, and deduct the actual weight?—It would; but it might lead to some little loss of time. I always weigh the bag at the mills.

10440. Do you think it would be desirable to oblige the officers in charge of the markets to furnish proper statistical returns?—It would be the proper system; it would give the officers very little additional trouble, and it would be a great advantage to the country and to trade to obtain the information. I think some powers should be vested in some public body, such as Town Commissioners, where they exist, to establish public markets. Here it is a great nuisance that cows, sheep, pigs, potatoes, turnips, turf, and all kinds of produce, are sold in the public streets.

10441. Do you think the Town Commissioners, generally, are the parties who should superintend markets?—I do.

10442. Would it not be better to have a body of trustees who would represent all classes?—Certainly it would.

695. Mr. Robert Macrory.

Mr. *Robert Macrory* examined.

10443. Where do you reside?—Near this town.

10444. Do you purchase in this market?—I do.

10445. Are you in the grain trade?—Yes; I have mills in this neighbourhood.

10446. Do you generally agree with the opinions of the last witness?—I do, most fully.

10447. You do not conceive that the establishment of public markets would be a restriction upon trade?—Quite the reverse; it would be a great improvement.

10448. Would you be in favour of an assimilation of weights and measures all over the country?—Certainly; I would like to weigh by hundreds-weight, quarters, and pounds. I have not considered the decimal system, and I fear I am too long accustomed to the old system to like it.

10449. Would you be in favour of removing all markets and fairs out of the public streets?—Decidedly; they are a great nuisance in the streets.

10450. Would parties in town object much to the change?—I do not think they would.

696. Mr. Andrew Given.

Mr. *Andrew Given* examined.

10451. Do you reside in this town?—I do.

10452. Do you purchase in the market?—Yes; I buy flax.

10453. Is the system described by the weighmaster that which is adopted?—Yes, quite correct.

10454. Would you be in favour of an uniform system of weighing for all kinds of produce?—I would.

10455. And pay the farmer for every pound?—Exactly.

10456. Would you be in favour of having public markets established all over the country?—I would.

10457. Would it not be desirable to have the statistics of the country properly kept in these markets?—Very desirable.

10458. Would you approve of the decimal system of weighing?—I think hundreds-weight, quarters, and pounds would do very well; but having different hundreds-weight in different places is a very inconvenient system.

10459. Do you make any reduction here upon flax?—We do; we buy by the 124 pounds, and only pay for 120 pounds.

10460. Would you be in favour of having a person in every market to arbitrate between buyer and seller in the event of disputes?—I would.

10461. Would you have the market commence at a certain hour?—Yes, if there were any way of enforcing the rule. We attempted it here, and never could succeed; but if it were enforced by an Act of Parliament, I would approve of it.

10462. Would you have it close at a certain hour?—Yes; it would save a great deal of time.

NEWTOWN-LIMAVADY, 21st January, 1853.

697. Mr. John Hemphill.

Mr. *John Hemphill* examined.

10463. Where do you reside?—Within two miles of this town.

10464. Are you a farmer?—Yes; I farm about 140 acres.

10465. Do you sell in this market?—The greater part of my produce.

10466. Would you be in favour of well regulated public markets?—We have not much to complain of here regarding the market; we only complain of the irregularity of weights; but I think a public market everywhere would be the best protection for the honest man, whether buyer or seller.

10467. Would you, as a farmer, object to pay a small charge for the use of a public market?—Certainly not; I would prefer selling there.

10468. Do you conceive the streets a good place for holding fairs?—No; I think it would be very desirable to have cattle, and more particularly horses, off the streets. I would prefer a proper fair-green, because I would know that my cattle could not leave the market without the man at the gate seeing them. In many cases the cattle, at present, may wander away from the markets, if there are negligent persons in care of them.

10469. Would you think it desirable to have regular hours fixed for opening and closing the markets?—Yes, very much so.

10470. Do you think it would be well to have all firkins branded before sale by sworn officers?—Certainly, very desirable.

10471. Are there many frauds practised here by super-tares?—I rather think there are too many. The people here sometimes give higher prices in order to get heavier firkins than are necessary.

10472. Of course you would have some scale laid down in allowing for soakage?—Certainly.

10473. If a firkin weighed twelve pounds when new, would fourteen pounds be too much to brand it?—I think so. It would not soak half a pound of butter if it were properly made. There is a description of firkin sold here, called the green firkin, and it is generally allowed to hold seventy-two pounds of butter, the gross weight being eighty-four pounds; but if it weighs eighty-six pounds, or even eighty-eight pounds, you will only be paid the same for it. There are very few of these firkins now.

698. Mr. Thomas Austen.

Mr. *Thomas Austen* examined.

10474. Do you reside here?—I do.

10475. Do you buy butter?—I do.

10476. Would you be in favour of paying for every pound of butter, and abolishing all deductions?—I would.

10477. Would you have the firkins properly branded, before being filled, by a sworn public officer?—I would. In summer time it is impossible to turn out the butter without damage, it is so soft. There is great annoyance caused in Glasgow by the super-tare of firkins sent over there. I have seen the bottom of a firkin made of heavy beech, and shaped just like a cone. Such an arrangement as the proper branding of firkins would give great satisfaction in the markets at the other side. I think to have a firkin weighing six pounds, branded seven pounds, and weighing twelve pounds, branded fourteen pounds, would be a very fair allowance. A cooper of this town has told me that he would brand firkins the actual weight, but that the people constantly require to get weightier ones.

10478. Would you be in favour of having one uniform system of weighing over the whole country?—Most certainly, I would.

LONDONDERRY, 22nd January, 1853.

699. Jas. W. Gregg, esq.

LONDONDERRY, JANUARY 22, 1853.

James William Gregg, esq., examined.

10479. Do you reside in Londonderry?—I do.

10480. Are you the Town Clerk?—I am.

10481. Under what patent or authority are the markets held here?—The present Act under which the markets are held is the 10th and 12th Victoria, a local Act for the improvement of Londonderry, passed on the 14th August, 1848.

10482. Can you state what are the markets authorized to be held here by charter?—There is a charter of Charles II., which gives the power of holding markets here. There is also a charter of James I., but I have not got a copy of it.

10483. Do you know under what regulations, in either charter, the markets were established?—I cannot state. I am not solicitor to the Corporation, and their solicitor is not in town at present.

10484. Does the Town Improvement Act for Londonderry make the Corporation the proprietors of the fairs and markets?—It does.

10485. Are tolls paid in the markets?—Yes.

10486. Is there a schedule attached to the Improvement Act?—There is.

10487. Are tolls levied according to that schedule?—They are. We do not, in all cases, however, levy as much as we are authorized to levy.

10488. Have you schedule-boards posted up in the markets?—We have.

10489. Is there a separate charge for toll and for cranage fees?—No; only one charge.

10490. Are tolls paid by the buyer or the seller?—By the seller.

10491. On cattle?—Yes.

10492. Are there enclosed market-places?—There are.

LONDONDERRY, 22nd January, 1853.

699.

Jas. W. Gregg, esq.

10493. What market accommodation is there?—There is a corn market for the sale of all kinds of grain, and some flax is weighed there on market-days, but not sold.

10494. Is that market enclosed?—It is.

10495. How many beams and scales?—Three.

10496. What other markets?—A butter market, also enclosed, with sheds, and proper accommodation, and two beams and scales. Then we have a pork market in the same place. Hay and straw are also weighed there, upon the weigh-bridge, and sold in the streets. There is a potato market, with about eighty small beams and scales, and a market for meat, fish, vegetables, eggs, and poultry.

10497. Where is the flax market?—In the street.

10498. Where are the fairs held?—The horse fair is in the street. The cow fair is held in the cattle market, which is the only other market we have. Standings for fruit and matters of the kind, are also in the streets.

10499. Is any toll levied on flax?—No; although we are authorized by the Act to do so.

10500. Is the toll charged on articles entering the market, or when they have been weighed?—It has been charged heretofore on weighing, but it will be for entering the market.

10501. Is the sale of all agricultural produce confined to the markets?—No; a great deal is sold in the streets.

10502. At present?—Yes.

10503. And weighed at the private stores?—I believe so.

10504. What officers are employed by the Corporation in the markets?—One inspector, and several clerks under him.

10505. Are the markets in the hands of the Corporation?—Yes; they came into their hands upon the 1st of November last, but they have let some of them.

10506. Which have they let?—The potato market, the corn market, the shambles, and standings, and the coarse meat market.

10507. Are the other markets in their own hands?—Yes; the corn and butter market.

10508. What officers are employed in the corn market?—Two clerks, and sometimes a third, and five barrowmen. The clerks act as weighmasters, and keep the books also.

10509. Who lift the sacks off the carts?—The farmers themselves, or they pay men for doing so.

10510. Are the parties licensed by the Corporation?—No.

10511. What staff is in the butter market?—A butter inspector and two clerks, with two porters and two boys.

10512. In whose hands was this market before it came into the hands of the Corporation?—In the hands of Mr. Corbett, who was weighmaster under the Corporation.

10513. Was he lessee of the tolls?—He was, of the butter, corn, and pork markets.

10514. Did he pay rent for them?—He did.

10515. Did his lease expire last November?—No; he had a life interest, and the Corporation gave him £600 a year for his life for it.

10516. Were the markets conducted in the same way, as at present, during his time?—They were.

10517. Did he levy the same tolls?—Exactly the same.

10518. Was there an inspector of the markets during his time?—No; the inspector was appointed after the markets came into the hands of the Corporation.

10519. Does the Corporation receive the profits of these markets now?—They do.

10520. And pay their officers fixed salaries?—Yes.

10521. To whom is the meat market let?—To James Orr, for £30 a-year.

10522. Does he let shambles also?—There are two or three which he lets.

10523. Is meat all sold in the shambles?—No; a good deal is sold in the shops.

10524. What are his charges?—

	s.	d.		s.	d.
For every carcass of beef,	1	0	For every carcass of lamb,	0	2
Do. do. calf,	0	2	Do. do. pig,	0	2
Do. do. sheep,	0	2			

10525. To whom are the stalls or standings let?—To Anthony Dwyer, for £86 a-year.

10526. Are they in the public thoroughfare?—They are.

10527. What are the charges?—

	s.	d.		s.	d.
For every load of plants, quicks, or trees, per day,	0	4	For every quantity of fruit not exceeding two bushels, per day,	0	1
Do. lesser quantity, do., do.,	0	2	Do. additional two bushels, do.,	0	0½
Do. stand of grass, do.,	0	2	Do. large standing, do.,	0	2
			Do. small standing, do.,	0	1

10528. If a man brings in a cart, and erects a table, will he have to pay twice?—He will.

10529. To whom is the potato market let?—To William Burrell, for £66 a-year.

10530. What are his charges?—

	s.	d.		s.	d.
For every car or cart-load of potatoes brought into markets, per day,	0	3	Each stand of weights occupying the markets, per day,	0	3

10531. If a farmer brings in a cart of potatoes and pays 3*d.* for them, and retails them himself, must he pay again for a stand and weights?—He must.

10532. What is the next market which is let?—The market for fish, vegetables, &c., let to James Orr for £36, and the following are his charges:—

	s.	d.
For all salmon and turbot, not exceeding a dozen, per day,	0	3
For every additional dozen, per day,	0	1½
For all salmon, trout, soles, and mackerel, per dozen,	0	1
For all flounder or flukes, not exceeding one dozen of strings, per day,	0	2
Every additional quantity to be paid in proportion.		
For all other kinds of fish, except shell fish, per dozen, per day,	0	1
For every description of shell fish at the rate of, per basket, per day,	0	0½
Do. per load, do.,	0	3
For every cart of salt fish, do.,	0	4
For every barrel of herrings, open, do.,	0	1
For every cart of fresh herrings,	0	6
Butter, per basket,	0	1
Poultry, including fowls, chickens, and ducks, wild fowls, pigeons, and rabbits, not exceeding one dozen, per day,	0	1
Every additional dozen, do.,	0	0½
Every turkey or goose,	0	0½
For more than one, and not exceeding three,	0	1
For every greater quantity, at the rate of 3*d.* per dozen.		
Every basket or parcel of eggs, not exceeding a hundred, per day,	0	0½
If exceeding a hundred, and not exceeding two hundred, per day,	0	1
For every additional hundred, do.,	0	0½
Each stand in the coarse meat market, per day,	0	3
Each stand of vegetables, do.,	0	1

10533. Are these lists of charges copies of the boards posted up in all the markets?—They are.

10534. What is the next?—The cattle market, let to William Burrell for £165.

10535. Is the charge made upon cattle entering the market?—Yes.

10536. Sold or unsold?—Yes.

10537. Is there a charge at the horse fair?—No.

10538. What are the charges on cattle?—

	s.	d.
For every bull, ox, cow, heifer, or steer,	0	3
„ calf,	0	1
„ ram, sheep, lamb, or goat,	0	1
For every pig,	0	1
„ sucking pig,	0	0½

10539. Is there a new corn market in course of erection here?—There is.

10540. When will it be fit for use?—By the 1st of May.

10541. What will be done with the old corn market then?—It will be used as a butter and pork market; the term of the Corporation, in the present butter market, expires upon the 1st May, and it must be given up; there has been no determination as yet with regard to a flax market.

10542. What are the charges for corn?—

	s.	d.
Oats, for every 12 stone,	0	1
Barley, do. do.	0	1
Wheat, for every 20 stone,	0	1½
Three cwt. oatmeal,	0	2
Bag of 2 cwt. do.	0	1
Flax, per cwt.	0	2

10543. What are your charges for butter?—

	s.	d.
Inspecting,	0	1
Branding,	0	1
Weighing,	0	1
Cooperage,	0	1
Customs,	0	0½
Porterage,	0	0½
Butts over 50 lbs.	0	3½
Do. under 50 lbs.	0	2½
Pigs, each,	0	2
Hay, per load,	0	5
Straw, per do.	0	5
All other goods and produce, per load,	0	6

10544. Has a weighmaster been appointed for this market by the Corporation?—The inspector superintends it; there is no other person.

10545. Is it compulsory to make use of it?—It is.

10546. Are any of the officers sworn?—The inspector is sworn.

10547. Did the former butter weighmaster receive compensation?—He did.

10548. Do the tolls at present received pay more than the interest of the money expended, and all other charges?—I think not.

10549. What sum of money is to be expended upon the new market?—£2,400 is the contract, and £285 a year for the land; there is some new ground also taken, not included in the contract, for which there will be additional expense.

10550. Are any attempts made to evade tolls, by selling outside the market?—There have been. I may mention that there is a market at the Waterside, for corn, which is just the same in regulations and charges as the corn market already mentioned, and superintended by the general inspector.

10551. Is it the intention to remove that market as soon as the new corn market is established?—I cannot say; I know of no such intention.

10552. Is it rented?—No; half the proceeds are paid to the person to whom the marketplace belongs.

LONDONDERRY, 22nd January, 1853.

699.

Jas. W. Gregg, esq.

10553. What is the object of having the second corn market?—To accommodate the farmers at the other side of the water, and avoid the tolls of the bridge.

10554. Have you ever heard of frauds practised in weighing in private?—No; I cannot say I have.

10555. Have you ever heard of frauds in pork?—No.

10556. What are the market-days here?—As far as I recollect the days prescribed are Wednesdays and Saturdays; Thursday is a market day for flax and butter.

10557. What are Wednesdays and Saturdays for?—General market days for corn, pork, butter, and every thing.

10558. Are those the market-days mentioned in the patent?—I cannot say.

10559. What are the fair days?—17th June, 4th September, and 17th October.

10560. Are there any other fairs?—No; I think not.

Notice.—Borough of Londonderry, to wit.

Notice is hereby given, that the market now used as a butter market, near Waterloo-place, in Londonderry, aforesaid, will be open for the public sale of pork; and the market now used as a grain market, in Foyle-street, in the said borough, will be open for the public sale of grain, on and after the first day of February next, subject to the tolls imposed by Act of Parliament in respect thereof; and that any person thereafter exposing or offering pork, or any kind of grain, for sale, elsewhere within the borough of Londonderry, except in his or her own dwelling-place or shop, and, in the case of grain, in the yard or place heretofore and at present used as a grain market at the Waterside, in said borough, will be liable to a penalty not exceeding forty shillings, which will be rigidly enforced.

Dated this 20th day of January, 1853.

(By order of the Town Improvement and Markets Committee),

James W. Gregg, *Town Clerk.*

Return of Income and Expenditure connected with Markets during the years 1850, 1851, 1852.

Year.	Markets.	Income. £	s.	d.	Total. £	s.	d.	Rent and other Expenditure for Market purposes. £	s.	d.	Total. £	s.	d.
1850	Cattle market,	146	0	0				45	0	0			
,,	Stalls and standings,	92	0	0									
,,	Vegetable, fish, coarse meat, egg, and fowl markets,	64	0	0				117	0	0			
,,	Shambles or meat market,	72	0	0									
,,	Potato market's society, and Foyle-street's,	115	0	0				118	1	6			
					489	0	0				280	1	6
1851	Cattle market,	181	0	0				328	16	2			
,,	Stalls, and standings,	89	0	0									
,,	Vegetable, fish, coarse meat, egg, and fowl markets,	41	0	0				87	0	0			
,,	Shambles or meat market,	61	0	0									
,,	Potato market's society, and Foyle-street's,	110	0	0				118	1	6			
					482	0	0				533	17	8
1852	Cattle market,	170	0	0				45	0	0			
,,	Stalls and standings,	90	0	0									
,,	Vegetable, fish, coarse meat, egg, and fowl markets,	44	0	0				87	0	0			
,,	Shambles or meat market,	35	0	0									
,,	Potato market's society, and Foyle-street's,	85	0	0				118	1	6			
					424	0	0				250	1	6

James W. Gregg, *Town Clerk of the Borough of Londonderry.*

700.

Mr. James Cairns.

Mr. *James Cairns* examined.

10561. Do you reside in Londonderry?—I do.

10562. What appointment do you hold with regard to the markets?—I am superintendent of the markets, appointed by the Corporation.

10563. At a fixed salary?—Yes.

10564. Do you account to the Corporation for the receipts of all the markets?—I keep the accounts, but I do not receive the money.

10565. Who receives it?—The persons in charge of the different markets hand the proceeds to the treasurer of the Corporation.

10566. Do you exercise any control over the markets which are let?—I do not.

10567. Are the lists of charges handed into us the charges actually made?—They are.

10568. All corn must pay, weighed or not?—Yes, if we can detect it.

10569. Is there any extra charge for weighing?—None whatever.

10570. Why then do persons ever go out without weighing?—It sometimes happens that the farmer may have weighed the corn at home, and the merchant will take it at that weight.

10571. Have you sufficient accommodation to weigh all the produce without causing any delay?—Of course it takes some time to get through the market, generally until two or three o'clock, and perhaps in a thronged market, a little beyond that time.

10572. Does the market begin at a fixed hour?—It begins, by ring of bell, at ten o'clock.

10573. Do you weigh before that time?—We do.

10574. Is the corn sold on the carts?—The greater part is in before ten o'clock, and it is laid down wherever the parties please, and sold; there is a part of the market uncovered, which, of course, in winter time is not a very proper place for laying down bags, but we are sometimes obliged to make use of it.

10575. Have you separate sheds for corn before and after it is weighed, to prevent confusion?—We have not.

10576. Would it not be better to have them?—Of course it would; it is intended to have them in the new corn market.

10577. Do you give a ticket in every instance?—We do.

10578. Do you keep a copy in a book?—Yes.

10579. You have two clerks?—Yes; and three if required, and sometimes as many as ten or twelve barrowmen.

10580. Is the farmer obliged to pay persons to take out the corn, if he does not take it out himself?—He is.

10581. You do not employ persons to do it?—No; we have men to wheel the corn to the scales and back again; all the farmers have to do is to employ persons to take the loads off the carts, and put them on again.

10582. Would it not be desirable for the Corporation, at least, to have licensed porters of good character there?—I wanted to have that done.

10583. Would it not be well to have every thing included in the one charge?—It probably would not satisfy the public. There are many farmers who have their own servants along with their carts, who would be doing nothing while the porters were taking it off the carts; besides it would take a great number of hands.

10584. What are the porters paid at present?—Whatever they can get.

10585. Are they employed in nearly every case?—No; only in some.

10586. If a farmer did not choose to employ them, would he meet with any opposition?—Nothing of the kind.

10587. How long does the market last?—A large market will last an hour and a half.

10588. How is wheat sold?—By the barrel of twenty stone; oats and barley by the stone of fourteen pounds; oatmeal by the hundred-weight of 120 pounds.

10589. How is corn weighed?—Down weight to the seven pounds, and no deduction except the weight of the sack.

10590. What does the farmer generally lose by the system of using no smaller weight than seven pounds?—I think three and a-half pounds every sack. We give and take in weighing a few lots.

10591. What will bring the scale from standing beam to down weight?—A very trifling weight; in some of them a quarter of a pound will do it.

10592. What height are they from the ground?—I think six inches.

10593. What do you deduct for the empty sack?—Five pounds for a bag, and seven pounds for a sack; we call the weight less the weight of the bag or sack.

10594. Do you make up the ticket net?—Yes.

10595. Do you make up the price?—No.

10596. If a ticket were lost could you give a copy of it next day?—Certainly.

10597. Could you give any return of the quantity sold, and the average price for a month or a year?—I could.

10598. Could you give the price?—I would strike the average price of each day.

10599. Do the persons employed upon market-days receive gratuities from the farmers?—No; they are prohibited. Heretofore it was the practice; but now we are adopting a plan to prevent it by getting from every farmer, as he comes in, his name and the number of bags he has, and all are weighed in regular order, according to that list. There is a plan also adopted here to prevent farmers and dealers from selling twice, which occasionally has been done when a higher price was offered. A person has been appointed at each gate, whose duty it is to issue a card to every person coming into the market, on which is written his name and the quantity he has; and that card the buyer, when he purchases the grain, receives from him; so that when a second purchaser comes to ask for the card, and if he does not get it, he knows, of course, that the grain has been sold before.

10600. Is there much corn sold out of the market?—I think not.

10601. Have you ever heard of frauds committed in weighing at private stores?—I hardly think I have; I do not remember.

10602. Do you consider the system objectionable?—I think it is.

LONDONDERRY, *22nd January*, 1853.

700.
Mr. James Cairns.

10603. Do the merchants generally take your tickets without re-weighing?—Generally they do; but sometimes they re-weigh as a check.

10604. Is your system of weighing oats and barley the same?—Just the same.

10605. How do you weigh flax?—We sometimes weigh it in the corn market.

10606. What do you charge?—Two pence a hundred-weight, 3*s.* 4*d.* a ton.

10607. What is your system of weighing?—Generally in half hundred-weight draughts, or two bundles of a quarter of a hundred-weight each, down weight, to the pound.

10608. Would you weigh even one hundred-weight as a draught?—Certainly; just as buyer and seller think proper.

10609. What is one hundred-weight of flax here?—One hundred and twenty-four pounds. It may be termed 120 pounds, and four pounds beamage.

10610. Does the buyer make any charge for storage or porterage?—I think not. It is generally sold in the streets and weighed at the stores; but I weigh any which comes into the market.

10611. Where is pork weighed?—It is nearly all sold in the public streets and weighed at the stores. Latterly some has been weighed at the public crane; but there is no charge made unless it is weighed there.

701.
Mr. Richard Todd.

Mr. *Richard Todd* examined.

10612. Do you reside in Londonderry?—I do.

10613. What is your occupation with regard to the markets?—I am butter inspector, and weighmaster for the pork and butter.

10614. Do you make any charge upon pork if not weighed?—No.

10615. What is your charge for weighing?—Two pence a pig.

10616. How is it weighed?—Down weight, to the pound, and it is bought by 120 pounds. We give the ticket gross weight, except at the desire of both parties. The buyer then converts it into long hundreds-weight, by taking nineteen pounds off every hundred-weight; eleven for beamage, and eight to bring the weight to the long hundred-weight.

10617. If there are any odd pounds does he deduct them from the quarter of twenty-eight pounds?—No; from thirty-pounds.

10618. You make out the ticket in hundreds-weight, quarters, and pounds?—Yes; and the buyer puts it into long hundreds-weight.

10619. Does the buyer deduct twelve pounds on a wet day?—Yes; and sometimes even thirteen pounds; but that is only when the day is very wet, and the pigs in bad condition. I have seen the same taken off a pig weighing half a hundred-weight.

10620. Does the buyer make any charge?—Yes; 2*d.* each pig, porterage, in addition to the 2*d.* paid to me.

10621. Does the farmer deliver his own pigs?—He does.

10622. And he has to pay for doing so?—I believe that is the custom.

10623. Suppose he does not weigh with you, does the merchant charge 2*d.*?—Yes; just the same.

10624. Did you ever hear of a buyer making up a ticket fraudulently, by deducting odd pounds from twenty-eight pounds instead of thirty pounds, in bringing the weight into long hundreds-weight?—I have known instances of persons attempting to do it, and the sellers coming to me about it.

10625. Is there any thing to prevent buyers from doing it with an ignorant seller?—I think not.

10626. Is there any other charge or deduction made?—Not that I know of.

10627. In the event of a pig being measly, or any thing of the kind, does the buyer deduct what he chooses?—Yes; we merely note in the ticket that it is measly.

10628. Have you ever known parties to state that a pig was measly, when, according to your judgment, it was not so?—I have heard cases of the kind.

10629. If a man will not submit to the reduction, and takes his pig away, can he easily sell it again?—I think he might.

10630. What is the highest reduction made?—I never knew more than 5*s.* to be taken off.

10631. What proportion of the pigs coming into the market is weighed with you?—Perhaps a fifth or sixth of the entire; for the last three weeks there has been more.

10632. Does all the butter sold in firkins go into your market?—It does.

10633. Is it all inspected, branded, and weighed there?—It is inspected and weighed, but not all branded. The merchant is at liberty to ship it without the brand.

10634. After you have branded firkins may the merchant take them to his own store?—He may.

10635. What is to prevent him from making seconds firsts, by changing the casks?—In my experience, of twenty-five years, I never knew an instance of the kind; if the merchant does not intend to ship upon our brand he takes the butter away, and qualifies and brands it himself.

10636. Have you ever heard complaints that your butter did not keep its quality at the other side?—Frequently.

10637. To what do you attribute that?—To holding over.

10638. Does the cooper tare the firkins in your market?—Yes; he does not strip them in every instance, unless he thinks them suspicious; he is an experienced person, and he puts a certain weight on them, and if that is objected to, he then strips the firkin, and takes the actual weight.

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701. Mr. Richard Todd.

10639. How do you weigh butter?—To the pound, down weight, and deduct one pound beamage on the firkin, and then take off the tare; the cooper who makes the firkin puts a brand on it, but that brand is very frequently incorrect.

10640. Suppose a firkin weighs twelve pounds when new, what does the cooper brand it?—He generally brands it twelve pounds, allowing nothing for soakage; but I have seen firkins weighing ten pounds or nine pounds branded twelve pounds.

10641. Is there any additional expense for stripping?—No.

10642. What is your staff?—Two men and two boys, as porters.

10643. Do you make any extra charge for branding?—No.

10644. Do you weigh and inspect before the butter is sold?—Almost always; but in some instances it is sold first.

10645. What is the one pound beamage deducted for?—Merely to keep the firkin weight, if it should be held over; it is dead in the scale, and is never taken into calculation at all.

10646. Do the merchants here generally lose by the tares?—Indeed they do; I have had claims made upon myself for payment for loss from super-tares; the coopers, to gain custom, brand the firkins as light as they possibly can.

10647. Would you be in favour of having all firkins branded before sale by a public officer, at a small charge?—I would.

10648. Would you have them branded sides, head, and bottom?—Yes, and the brands could not be changed then.

10649. Would you weigh every thing standing beam, to the pound, and abolish all deductions?—I would not consider it fair to weigh standing beam, for articles which are always losing, when it is expected there must be something to meet the loss which will take place in such an article as butter.

10650. Let the merchant regulate his price accordingly. Do you think it would be a good plan to have all butter coming into the market inspected and weighed before sale?—I think it would be a very good and useful plan; there is a large market here for open packages, which we only weigh, and which the merchant himself inspects, and buys upon his own qualification.

10651. Do you make any deduction for beamage in butts?—Yes; one pound to the score.

10652. How is it weighed?—To the pound, down weight.

10653. Do you strip them?—We frequently do.

10654. Does much butter come here fraudulently made up?—Not much.

10655. How does Londonderry butter rank at the other side?—I believe 90*s.* to 92*s.*

10656. Does it rank as high as Waterford or Carlow?—I think not; we principally export our butter to Scotland, where it ranks, I think, higher than any other.

10657. What proportion of it is branded first?—Not more than ten to the 100, or, perhaps, only five to the 100.

10658. What is the difference between the qualities?—A half-penny between first and second; $1\frac{1}{4}d.$ between first and third; 2*d.* between first and fourth; and $2\frac{3}{4}d.$ between first and fifth.

10659. Would you think it a good plan to weigh pork to the pound, and abolish all deductions?—I think it would be much better.

10660. Does not the present system keep up a fictitious price, and injure the farmer?—It does; and I do not think it benefits trade.

10661. Would you be in favour of an assimilation of weights and measures all over the country?—Most certainly; tons, hundreds-weight, quarters, and stones.

10662. Would you have a sworn inspector in every market?—I would.

10663. Would you have the market begin and close at a fixed hour?—Certainly.

10664. And have heavy penalties for frauds practised either by the buyer or the seller?—Surely; there are frequent frauds in butter, chiefly that sent in by dealers; I have seen a firkin filled with moss and bog made up, with only a layer of butter over it.

10665. Would you not think it a good plan to have the head officer of the market the party to prosecute, in the event of fraud?—Yes, it would be much better.

10666. What do you think of weighing according to the decimal system?—It would be a simpler plan than any other.

10667. Would it not be desirable to obtain proper agricultural statistics from every market?—I think there could be returns of the quantity sold, but I question as to the returns of prices.

10668. It could be done if the whole transaction was to close in the public market?—Certainly, in that case it could.

Mr. *James Henderson* examined.

702. Mr. Jas. Henderson.

10669. Where do you reside?—Within three or four miles of this town.

10670. Do you sell in this market?—I do.

10671. Do you consider the arrangements good?—I consider them defective in many respects; I know more, indeed, of the flax market than of any other; but I know something of all the markets; and the remark I would particularly make is this, that the weights by which flax is sold are so varied, that no man in any part of the kingdom can understand what quantity he is giving for a sum of money in another place; in one place there are 112 pounds to the hundred-weight, in another 120 pounds, and in another 124 pounds; these are called hundreds-weight, although the last two are not recognised as such by law; in

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702.

Mr. Jas. Henderson.

Belfast they sell by what is called the stone; now a stone is regularly fourteen pounds, but their stone is sixteen and a-quarter pounds. A man doing business in England, or in a distant part of the country, unless he has correct and minute local information, does not know what he is getting, nor when he sees the prices of one market, can he know how they correspond with others.

10672. You would be in favour of an assimilation of weights and measures all over the country?—I would have all goods of every description weighed by some known standard recognised by law.

10673. Would you be in favour of weighing according to the decimal system?—If it could be introduced it would be a great advantage, but, at the same time, breaking through the established rules of a commercial community, it might be attended with great confusion.

10674. If there is to be a change at all, would it not be better to go to the fountain-head at once?—Certainly, that is quite true; and I do not give merely my own opinion, for I have spoken to the best informed of the farming classes, and classes above them, upon the subject, and every man agreed that the decimal mode of computation ought to be introduced here, not merely in weights, but also in money.

10675. Would you be in favour of general, well-regulated markets, where all produce should be sold and weighed?—I would, but I would except from it, where a contract was made; but all goods coming into the market ought be obliged to go to the public market, and pay toll, and be sold and weighed there in conformity with the rules.

10676. Do you think the charge in such a market ought to be sufficient to pay for the expenditure, and support the market, but nothing more than that?—I think so. I would allow the revenue to be rather more than would be shown upon a calculation to be absolutely necessary, in order to keep upon the safe side, but not largely so.

10677. You would have it appropriated to lighten town taxation?—Decidedly not; I think that would be most unfair.

10678. Would you have the market commence and close at fixed hours?—I would; the greater regularity the better.

10679. Would you have all agricultural produce weighed to the pound, standing beam, and deductions, such as beamage, abolished?—I would. I think that these things tend to nothing but the concealment of fraud. They confuse and mystify both the farmer and the buyer. They never can be any advantage to trade, and, rightly considered, are as much a disadvantage to the buyer as to the seller.

10680. Would you have frauds committed by either party punished in a summary way?—Decidedly; whenever fraud arises it ought to be punished, and not at a distant day, but the means of punishment ought to be upon the spot. Suppose I sell a ton of flax here, it is the custom to examine it very strictly before buying it; but after all that examination has been made, it has happened, and is happening every day in the year, that when I take it to the buyer's place, if he sees the market has declined, or fancies he has made a bad bargain, he will tell you your flax is bad, and you must take it away again. I took a legal opinion as to whether I could recover against such a man, and the legal adviser said I could not. There were three things which would give me a right to recover: if I had a written agreement; if I had delivered the flax; or if I had got a certain sum upon account.

10681. You would not object to pay for accommodation in a public market?—No; nor do I believe there is a man among the farmers here who would not be willing to pay a reasonable charge. Without sufficient and immediate authority here to enforce a bargain made in the open market, I think a great source of complaint will ever continue to exist.

10682. Should there not be some officer in every market to decide disputes, as to whether an article is equal in quality to the sample, and in matters of the kind?—I think so. There is an inspector here for grain; but I think for flax it would be useless.

10683. Would it not be desirable to obtain, from every market, proper statistical returns?—It would be very useful to Government, and for the purposes of the country generally; but that it would answer any immediate purpose, either of the farmer or buyer, I cannot say.

10684. Do you consider the system of weighing in private objectionable?—I consider it very objectionable; and I am prepared to state, on my oath, if required, that I know the most gross and systematic frauds to obtain at present in the stores of buyers when weighing.

10685. Buyers of what?—Of flax. There are houses in town which never defrauded any one; but I do not speak of these. I once sold to a man here upwards of two tons of flax, and when he had weighed it, it wanted one hundred-weight, three quarters, and some pounds of my weight.

10686. What value was that?—£4 7*s.* 6*s.* I asked him to weigh it over again, and he did so, and made it a few pounds less. I then loaded it on my cart, and took it down to the butter market, and had it weighed, and it came within a few pounds of my own weight at home, which Mr. Todd saw. I saw another thing which happened at the same time; I observed a man hanging about the scales, and when Mr. Todd's head was turned away, I saw him take out a half-hundred weight, and put another half-hundred-weight in its place. I went up for Mr. Corbett, who then had the market, and told him of it. Mr. Corbett came down, and when he looked at the weight, he turned round and said to the man, "you scoundrel, that is the sixty pound weight for weighing butter." Last year, I sold a parcel of flax to a man in this town, and it came upwards of a quarter of a hundred-weight short of my weight; I made him weigh it again, and he did so, and made it just the same as before. I said I would take it to the public crane; but he told if I took it out of the house, never to bring it back, for he would have nothing to do with it. Then I asked him to allow me to weigh it

with his own beam and scales—for I intended to turn the other end of the beam—but he would not let me do so. At last I said, there is the flax for you, and I will try to make you pay for it, if I can; but then to prevent me from getting into open collision with him, he just paid me for my own weight. I think when a man comes to sell flax, the buyer examines his countenance to see if there is a soft place there; and if there is not, he will not try any thing of the kind.

702. Mr. Jas. Henderson.

Mr. *Edward Toy* examined.

703. Mr. Edward Toy.

10687. Do you reside in this town?—I do.

10688. Are you a farmer?—I am.

10689. Do you generally agree in the recommendation of Mr. Henderson?—Yes, with every word.

10690. You would not object to be obliged to pay a small charge for a public market?—Certainly not.

10691. Would you be in favour of an assimilation of weights and measures?—I would; and abolishing all deductions of every description.

10692. Do you think it would be well to have an inspector in every market, who should arbitrate between buyers and sellers in case of a dispute?—Decidedly.

10693. Would you have the market commence and close at a certain hour?—I would.

10694. Would you have the fairs removed, in every instance, out of the streets into properly enclosed fair-greens?—Certainly; the present system is dangerous to life and property, particularly the horse-fair.

10695. Would you pay a small charge on entering for a good standing in a fair-green?—Willingly: and I am very certain the farmers, generally, would willingly pay for good accommodation in fairs or markets.

10696. Would you be in favour of an assimilation of weights and measures all over the country?—Decidedly; weigh by the hundred-weight of 112 pounds, or whatever was decided upon as the best system.

Mr. *William Foster* examined.

704. Mr. William Foster.

10697. Where do you reside?—Two miles from Londonderry.

10698. Are you a farmer?—I am.

10699. Are you in favour of a public market, such as has been described?—Decidedly.

10700. You would not object, if the charge were reasonable, to be obliged to make use of it?—Certainly not.

10701. Would you be in favour of an assimilation of weights and measures?—Decidedly; and the abolishing of all deductions, which are very injurious to farmers, and frequently prevent strangers from coming to the market.

10702. Would you have the market commence and close at a fixed hour?—I would.

10703. Would you have fairs, in all cases, removed out of the streets into properly enclosed fair-greens?—I would.

10704. As a farmer, would you not object to pay a small charge?—No; and I know the opinion of many farmers, and I do not believe they would object.

705. Mr. Wm. Warnock.

Mr. *William Warnock.*—I wish to call attention to the fact, that there are a number of paupers who attend the market here, and purchase flax, and if they can effect a re-sale of it to some merchant at a profit, they will take it off the farmer's hands; but if they cannot, they leave it to the farmer, who has no redress but to take it home again. They invariably make the excuse that it is not equal to sample, and the loss to the farmers is very serious frequently, as they lose the market that day. I am clerk to the Mayor, and these things frequently come under my knowledge. Under the 5th & 6th William IV., which regulates the sale of flax, the penalty is very small, 10*s.*

706. Mr. R. Alexander.

Mr. *Robert Alexander.*—I beg to state, that I agree in all the answers given by my brother farmers; and I think, in the appointment of an inspector over the different markets, he should be independent of either the mercantile or farming classes.

10705. You think a well regulated public market would be a general advantage?—I do.

10706. Would it not be the fairest for both parties?—No question of it.

10707. And would create competition?—No doubt about it.

Mr. *Patrick Bradley* examined.

707. Mr. Patk. Bradley.

10708. Do you reside here?—I do.

10709. Are you a flax buyer?—I am.

10710. Would you be in favour of an uniform system of weighing, and paying for every pound of the farmers' produce?—I would; and I would much approve of the decimal system, because it is far easier to calculate. I prefer 120 pounds to 112 pounds, simply because it is a decimal; but I think every hundred-weight ought to be 100 pounds. As to paying for every pound, I think the farmer at present is paid for every pound of flax.

10711. Are there not four pounds deducted for beamage?—No; the farmer makes his bargain for 124 pounds. I believe the way the four pounds came into operation was simply this: the stone of flax in Armagh and Down was sixteen pounds, and to give down draught the farmer put in a quarter of a pound, which made the hundred-weight at Belfast

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707. Mr. Patrick Bradley.

114 pounds; the original hundred-weight was 120 pounds, and the farmers found that it took 124 pounds to make down draught, so they agreed to give four pounds to the hundred-weight. I would like a public market for flax; but I would wish to have it optional with the farmer whether he would have his flax weighed in the public crane, or take it at once to the merchant's stores; and for this reason, flax is very much injured by being often weighed; and the merchants, if it were weighed at the public crane, might require to have it weighed over again, to see that there was no mistake.

708. George Foster, esq.

George Foster, esq., examined.

10712. Are you the Mayor of Londonderry?—I am.

10713. Do you generally concur in the opinions we have heard?—I do.

10714. Would you be in favour of a well regulated public market?—Most certainly.

10715. Would it not be an advantage both to the farmer and to the honest trader?—I think so.

10716. Would you be in favour of an assimilation of weights and measures all over the country?—Certainly.

10717. And abolishing all deductions?—Yes; I think that would be attended with the greatest advantage, and would remove the cause of many disputes.

10718. Do you think it would be well to empower some person in authority, such as the mayor, to adjudicate summarily in cases of fraud upon the part of buyer or seller?—I think so.

10719. Would you be in favour of having all fairs held in enclosed fair-greens, and have a small charge made upon cattle when entering?—Decidedly so.

10720. Would it not be well to have the persons at the head of all the markets required to keep the proper statistics of every thing sold there, and the average price?—Most certainly.

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Omagh, January 25, 1853.

709. Mr. James Greer.

Mr. *James Greer* examined.

10721. Do you reside in Omagh?—I do.

10722. Are you agent for Mr. Spiller?—I am.

10723. Under what patent or authority are the markets held in this town?—A patent of the 6th of Charles I., granting to James Mervyn the right of holding a weekly market in Omagh on every Wednesday, and four fairs.

10724. Who is the proprietor of the market?—Colonel Archdall, a representative of the original patentee.

10725. When is the market held now?—On every Saturday.

10726. Was there any patent granted for the change?—I am not aware.

10727. How many fairs are there?—Twelve in the year—one upon the first Tuesday of every month.

10728. Were they established under any patent?—I am nor aware.

10729. Has the proprietor the markets in his own hands at present?—No; they were leased by his predecessor, upon the 23rd December, 1833, to George Bradley, of Omagh, granting him the right of keeping a public crane, and holding fairs, for thirty-one years and one life, with all the rights attached, subject to £22 a-year rent, reserved.

10730. Does he now hold them?—No; by a deed, dated September, 1852, George William Bradley, the heir-at-law of George Bradley, assigned the interest to Mr. George Thomas Spiller.

10731. Did Bradley erect markets in the town?—He rented the market-place from Mr. Spiller, and appointed a weighmaster, and from him Mr. Spiller received the rent of the ground; and Bradley got the rent for the right of weighing.

10732. Is there a weighmaster now?—No, he died about three weeks ago, and there has been no man appointed yet. John M'Clellan has been appointed during the will and pleasure of Mr. Spiller, but that is not a permanent appointment.

10733. Are tolls paid in the markets?—No, not at present.

10734. Or at the fairs?—No.

10735. Were they ever paid?—They were, until about sixteen or eighteen years ago, when they were abandoned, in consequence of a kind of passive resistance.

10736. Are there enclosed market places in the town?—There are.

10737. What are they?—Originally Mr. Spiller's father built a market-place, in which Mr. Bradley had his crane, and it is now used as a general market, chiefly for oats, meal, and potatoes; next there is Mr. Hamilton's market, principally for the sale of grain; third there is Mr. Auchinleck's, and fourth Mr. Donnelly's.

10738. When was Mr. Spiller's market erected?—In 1827.

10739. When were the others erected?—Mr. Bradley died about 1838, and his son, being a minor could make no legal appointment as weighmaster. Mr. Auchinleck then erected his market about twelve years ago. Mr. Auchinleck got Mr. Taylor, son-in-law of Mr. Young, who was the only weighmaster at the time, to remove to his market, and Young would not take proceedings against his son-in-law to assert his rights; besides that, there was the further difficulty regarding the minority of Bradley. Shortly after that Donnelly erected his market, and the Hamiltons erected theirs, each taking advantage of the minority. That was three or four years ago. Bradley was not of age until two or three years

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709. Mr. James Greer.

ago, and he took proceedings against these parties, but the barrister did not entertain the case. When Mr. Spiller found that Bradley had a difficulty in asserting his rights, he purchased up all the rights in September last. The case in the Civil Bill Court, I should say, only ended on some technical objection.

10740. What accommodation has Mr. Spiller at present?—He only became the proprietor of the market in September, and he is about to erect all suitable accommodation.

10741. Do his rights cease at the termination of Mr. Bradley's lease?—They do.

10742. Is there a fair-green?—Yes; a common, close by the town, but it is not enclosed.

10743. Is it sufficiently large to contain all the cattle?—I think if there were proper arrangements it would be so.

10744. Is all the agricultural produce of the town sold in the market?—Every thing goes into some one of the four.

10745. Are there no articles sold about the streets, and weighed at the private stores?—Not that I am aware of.

10746. Are there four weighmasters?—Yes; one of them appointed by each proprietor.

10747. Are any of them sworn?—M'Clelland has taken the oath.

10748. Is Mr. Spiller's market capable of accommodating all the produce of the town?—No; I think not. At the time the first market was opened, I think one market-place would have been sufficient, but there has been gradually a vast increase in the quantity of produce coming into the town.

10749. Did Mr. Young continue to be weighmaster up to the time of his death?—He did.

10750. Was he appointed by Mr. Bradley?—He had held the appointment for forty years under Mr. Archdall, and then under Mr. Bradley's lease.

10751. Are the same charges made in all the markets of the town for weighing?—I believe so.

10752. Is it considered inconvenient to have the markets so detached and separated?—Yes; I think it prevents merchants and sellers from having the benefit of competition.

10753. Is the weighing fairly conducted in all the markets?—I understand there is imposition in weighing produce at some of the markets, of which the farmers complain.

10754. Are the parties supposed to lean to the buyers or to the sellers?—To the buyers, generally.

10755. Would you be in favour of having one general public market, with proper accommodation, where all agricultural produce should be sold and weighed?—I think it would be equally convenient to have each description of produce in a separate market, provided they were close together. No portions of this town are so remote from each other as to cause any inconvenience.

10756. What objection would there be to having all the markets together?—No objection, provided the place were sufficiently large.

10757 Would you be in favour of an assimilation of weights and measures over the whole country?—Certainly; I think there is considerable inconvenience in the present system.

10758. Would you be in favour of having the fairs removed from the streets into enclosed fair-greens?—It would be very convenient, but there is no inconvenience felt by the public here at present.

710. Mr. John M'Clelland.

Mr. *John M'Clelland* examined.

10759. What is your occupation?—I am weighmaster, appointed by Mr. Spiller.

10760. When were you appointed?—Upon the first October, 1852.

10761. Were you sworn?—I was.

10762. Is all the agricultural produce which is sold in your market weighed in your scales?—I think so.

10763. Have you charges for selling in the market?—Yes.

10764. What are your charges?—One penny for a large sack of grain, and 1½*d.* for two bags.

10765. Have you a painted board posted up in the market, showing what you charge?—There was one of the kind, but not now.

10766. What did it state?—It stated that persons leaving sacks from Saturday night to that night week, were liable to pay 1*d.*, and that we would not be accountable unless they left them in proper time.

10767. But had you no schedule of tolls?—No.

10768. What else do you charge?—One penny a hundred-weight for meal, 1*d.* a draught for potatoes.

10769. Any thing else?—There is nothing else weighed.

10770. What proportion of the produce sold in the town is sold at your market?—I think scarcely one-fourth of the oats, but the meal and potatoes are all sold there.

10771. Do you weigh down weight?—We let the scale strike the ground twice.

10772. Do you weigh to the pound?—No; to seven pounds.

10773. What do you deduct for the empty bag?—From five pounds to seven pounds.

10774. Any other deduction?—None.

10775. What would bring your scale from standing beam to down weight?—It would not take half a pound.

10776. Did you ever try it?—It is very easily turned, but I do not know exactly what would turn it.

10777. What is your system of weighing meal?—More exact weight than oats, to the pound, and deduct according to the weight of the bag, from four pounds to seven pounds.

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710. Mr. JohnM'Clelland.

10778. Do you ever weigh the empty bags?—Sometimes.

10779. Would it not be better to do so always?—I would rather do so.

10780. How do you weigh potatoes?—By the stone, down weight, to the seven pounds, and generally deduct seven pounds for the empty bag.

10781. How many beams and scales have you?—Indeed I am not perfectly sure, I suppose five or six; we have two large ones.

10782. Have you a weigh-bridge?—No.

10783. What are the small scales for?—For retailers of meal, who pay 3*d.* each for standings in the market-house, and the use of these beams and scales.

10784. Do you give a ticket to every person weighing with you?—We do.

10785. Do you keep a copy of it?—If any one wished it we would keep a copy.

10786. Have you a book?—Yes.

10787. Is there an entry of the ticket in it?—No.

10788. Suppose a man lost his ticket, could you give him a duplicate of it next day?—We could not.

10789. If you were applied to to tell the quantity of produce that passed through your scales for a month, could you do so?—I could, if I were asked in proper time, but I could not do it just now.

10790. If a person did not require a ticket, how would you make the weight?—If a person did not sell his grain, we would store it for him, and mark the weight and his name upon the sack.

10791. Could you give any idea of the quantity of corn sold in your market upon a market-day?—I could not.

10792. Do you receive a fixed salary?—No; I keep all I get, and pay a rent for the place.

10793. Could you give any idea how much you receive?—I could not.

10794. Can you weigh all sold in your market without delay?—Certainly.

10795. Did you ever hear any complaints?—Very seldom.

10796. Do persons ever come to you to check the weights of the other places?—They do.

10797. Did you find any difference in the weights?—I can scarcely say I did.

10798. Does the market begin at a fixed hour?—Mostly, at ten o'clock.

10799. But do persons buy as soon as they come in?—They do.

711. Mr. John Donnelly.

Mr. *John Donnelly* examined.

10800. Do you reside in Omagh?—I do.

10801. What is your occupation?—I hold two markets in town, one of which has not been mentioned, that is a market in Brook-street, established about thirty years since; one of the first after the original market was established. I hold it under a lease from Mr. Charles Stack, who owns it; and the place is rented from me by another man, who acts as weighmaster there. Originally there was but one market-place, until the market increased so much that there was not sufficient accommodation.

10802. Are the markets established under any authority?—I do not know, but Mr. Campbell, who established the market in Brook-street, had a law-suit in Dublin with the lord of the manor, and Mr. Campbell still held the market.

10803. How did you succeed to it?—I took it under a lease from Mrs. Stack.

10804. Is it enclosed?—No; there are sheds there. The street runs through the middle of it.

10805. What did Mrs. Stack lease?—The sheds upon each side, with the crane in the centre. I have set it to a man named Mooney, who pays me rent.

10806. Does he charge cranage fees?—He does.

10807. When did you establish your own market?—About ten years since. The flax market was formerly held in the streets of Omagh, and flax weighed in small triangles there, and the flax buyers and the public were greatly inconvenienced. Applications were made to me by the flax buyers attending the market, stating that they could not get accommodation, that they were obliged to stand in the wet with their flax, and that if I established a market they would buy there. I understood there was also an application made to the executors of Mr. Bradley. At their request, I then established the market.

10808. Do you also weigh corn?—Yes; I established the weighing of corn there some years after, because the accommodation in the other three markets was not sufficient. I think the whole five markets at this day are not sufficient to weigh all the oats.

10809. Have you a weighmaster?—I have.

10810. Do you buy corn yourself at that market?—I do.

10811. Do you then make any charge?—Yes; I charge for the accommodation, and for the use of the barrowmen.

10812. If you bought and weighed at your own stores, would you make any charge?—I would not.

10813. Does the weighmaster account to you for his receipts?—He does. I give him certain wages.

10814. What charges do you make?—Oats 1*d.* a sack; flax, over four stone, 1*d.*; and if parties do not sell their flax, they can store it until that day week, without any charge. There is a printed notice at the gate, stating that the charges are not made for weighing, but for the accommodation, the use of the yard, storage, and barrowmen.

10815. Is it optional to make use of your market?—Certainly.

OMAGH,
25th January, 1853.

712.
Mr. John Donnelly.

10816. Is your system of weighing corn the same as that mentioned by the former witness?—Just the same; down weight to the seven pounds, touching the ground twice.

10817. Are odd pounds paid for?—No.

10818. What would bring your scale from standing beam to down weight with a heavy draught?—I think, with a large draught, it would take two pounds.

10819. Do you often adjust the beams?—The man has instructions to examine the beams during the year; and so far as he can judge, they are correct.

10820. How many beams and scales have you?—The flax market requires a large number of beams and scales—sometimes four, sometimes five; and for grain, one, or sometimes two, in a large market.

10821. Did you make any application to the proprietor for leave to establish a market?—No; but the lord of the manor did not disapprove of it. The first time Mr. Bradley took proceedings here against a person about the market, Mr. Nicholas Archdall, son of the lord of the soil, thought, in consequence of the want of accommodation, it would be an injustice to the parties who had laid out their money, and he would not sanction the proceeding; but recommended Mr. Bradley to come to some arrangement.

10822. Is it not inconvenient to the town to have the markets so scattered?—I do not think it is found so.

10823. What is your system of weighing flax?—By the stone. Every stone of flax is sixteen pounds; and there is a deduction of half a pound to each stone.

10824. Is it made up in small bundles?—No; we weigh from four to six stone in each draught.

10825. Do you weigh to the pound?—Yes, and the scale must touch the ground.

10826. Might a person lose one pound on each draught from standing beam?—No; perhaps, on the average, half a pound. Besides there are sometimes bands of rushes put round the flax.

10827. Is not that custom done away with now?—In hand-scutched flax there are some of them still; but generally they are done away with. I would say, myself, it would be an advantage to have flax weighed net.

10828. Why do you not weigh more than six stone in a draught?—At the time the flax buyers established the market that was the rule, and that rule is still carried out.

10829. Do the farmers object to it?—They do.

10830. Does the buyer make any charge?—Nothing at all.

10831. Or in corn?—No.

10832. Would you be in favour of having one general market?—If there were one general market, I do not see what harm it could do.

10833. Do you think the market arrangements at present are very good, and require no alteration?—I think they require some alteration; but I think, to have all the different kinds of produce put into different markets would do just as well.

10834. Would you be in favour of an assimilation of weights and measures all over the country?—I would; tons, hundreds-weight, stones, and pounds.

10835. Did you ever consider the decimal system?—Yes; I think it would be an improvement.

10836. If any alteration is to be made, is it not better to go to the best system at once?—Certainly.

10837. Would you be in favour of having the markets commence and close at stated hours?—I think they should commence at stated hours, but I do not think they should close.

10838. Would you have an officer at the head of each market to arbitrate in cases of dispute between buyer and seller?—I think, in each town there should be an inspector, who would be free from any connexion with buyer or seller, and who might act as arbitrator in such cases. There is some difficulty with regard to the power of the magistrates.

10839. Would you be in favour of having all agricultural produce weighed to the pound, and all deductions abolished?—Certainly; I think, for every pound-weight of produce the farmer has to sell he should be paid. A stranger coming in here from Belfast, perhaps, calculates upon getting sixteen and a-quarter pounds to the stone of flax, while a man from Derry knows he will get sixteen and a-half pounds, and he has, therefore, an advantage.

10840. Is not the system of weighing in private stores objectionable?—I do not see how you can interfere with men who have mills.

10841. Have you ever heard of frauds practised in weighing at private stores?—No, I never heard of any.

10842. Have you any private weighing here?—Not in corn.

10843. Did you ever hear of frauds in any of the markets?—Yes, very frequently. I think there is a system practised there by some parties bringing in oats, who, if they have three heavy bags out of six, will weigh these three bags twice, and on taking them to the store pass off the ticket as if the whole were the same weight. I have also heard of cases where parties change the tickets.

10844. Do you know of any frauds practised by the buyers?—I do not see how they can practise them.

10845. Did you ever hear of any complaints of the weighing in the markets?—Never; the opposition is such that it makes them all act fairly. If the weighmaster in one place showed a disposition to assist the buyer, the country people would not go there.

10846. Should there not be penalties in any general market act for frauds practised by either party?—I think there should, and very stringent penalties.

OMAGH, 25th January, 1853.

712. Mr. John Donnelly.

10847. Do you ever buy corn, yourself, in the other markets?—If I cannot get sufficient in my own place, I buy wherever I can get it.

10848. Would you be in favour of having the fairs removed out of the streets into proper enclosed fair-greens?—Yes; it is a great inconvenience holding them in the streets. The cattle fair is held in the great thoroughfare to the railway, and I do not see how passengers are to get there if it continues so. The horse and pig fairs are also held in the open streets, which is a great inconvenience.

10849. Do you think the farmers would object to pay for a standing?—I do not think they would, if the place were commodious and the charge moderate.

10850. Is the system of weighing at the other markets in the town the same as yours?—Just the same.

713. Mr. Thomas Mooney.

Mr. *Thomas Mooney* examined.

10851. Do you reside in Omagh?—I do.

10852. What is your occupation with regard to the markets?—I weigh oats at the Brook-street market.

10853. How much is usually sold there?—From 100 to 200 bags on Saturdays.

10854. Have you porters there?—I have men weighing, and barrow men.

10855. Are the charges the same as at Mr. Donnelly's market?—We charge 1*d.* a draught; and we will weigh two bags together if under thirty-nine stone, and if above that we separate them.

10856. Do you weigh to the seven pounds?—Yes; and the scale must touch the ground twice.

10857. Do you give a ticket?—Yes.

10858. And keep a book?—Yes.

10859. How long have you been there?—Since the 15th of October. I took the market from Mr. Donnelly.

10860. Do you make any charge for storage?—No.

10861. What do you put in the ticket?—The weight, and the seller's name. The weight of the sack lies in the scale, and is not brought into the ticket at all.

714. Mr. Robert Taylor.

Mr. *Robert Taylor* examined.

10862. Do you reside in Omagh?—I do.

10863. Are you a weighmaster?—Yes, in Mr. Auchinleck's market.

10864. What is sold there?—Butter and corn. Potatoes are sold there, but very seldom.

10865. Are your charges for weighing corn the same as at the other places?—We do not charge for weighing, only for the accommodation of sheds.

10866. Do you give a ticket?—Yes.

10867. When was that market established?—I think in 1842.

10868. What are your charges?—Three halfpence for two bags of corn, and 1½*d.* for a sack.

10869. Then you are higher than the others?—Yes, a shade higher.

10870. What quantity of corn is sold there?—I suppose about 100 sacks a-week, all the year round.

10871. Is your system of weighing the same as in the other markets?—Just the same.

10872. Must the scale touch the ground twice?—Three times is our rule, but we give and take.

10873. Have you heard many complaints of the system of weighing?—Not many complaints, but it is not easy to please every one.

10874. What do you charge for butter?—Two pence halfpenny a firkin; we store it and weigh it, and every buyer inspects his own.

10875. How do you weigh it?—Down weight (it must strike three times), to the pound, and take off five pounds upon every firkin for what they call nettage.

10876. Do you deduct the weight of the firkin?—We take off whatever is branded upon it, but if the cooper thinks it too heavy we deduct more, according to what he thinks is right, or we will turn it out and weigh it.

10877. Do you find the firkins unfairly tared?—We do, often.

10878. Are odd pounds paid for?—If there are seventy-one pounds, only seventy are paid for; if there seventy-two, seventy-one are paid for; and if there are seventy-four, seventy-two are paid for.

10879. What deduction is made from crock butter?—One pound to the score on crock and lump butter.

10880. What do you charge for lump butter?—Two pence for a basket weighing, perhaps, fifty or sixty pounds, we charge 1*d.* for ten pounds.

10881. Do you keep a book?—No; we had a book until last November.

715. Mr. William Elliott.

Mr. *William Elliott* examined.

10882. Do you reside in Omagh?—I do.

10883. Are you Chairman of the Town Commissioners?—I am.

10884. Have you any control over the markets of the town?—Not any.

10885. Do you conceive that the markets being scattered is for the benefit of the town?—We consider it very detrimental to the trade of the town, and inconvenient to buyers and sellers.

OMAGH, 25th January, 1853.

715. Mr. William Elliott.

10886. Would you be in favour of a general market, where all agricultural produce should be sold and weighed?—I believe it would be difficult to obtain a site in this town, but I would be in favour of it.

10887. Would you have the market commence at a stated hour?—Yes; I believe that is the opinion of all the Town Commissioners.

10888. Would you be in favour of an assimilation of weights and measures all over the country?—Quite in favour of it.

10889. Would you approve of weighing according to the decimal system?—Yes, I would prefer it.

10890. Would you have the charge in such a market nothing more than would pay for the expenditure and support the market?—Precisely; the public should have the full benefit of it.

10891. Would you have all agricultural produce weighed standing beam, to the pound, and abolish all deductions?—Yes, I would very much desire it.

10892. Would it not be desirable to oblige the officers in charge of the markets to keep on record proper statistics of them?—Very desirable.

10893. Would you be in favour of having the fairs removed out of the streets into proper enclosed fair-greens?—Quite in favour of it; the present system is a great grievance in this town. I may mention that our respectable farmers in selling butter are very much aggrieved by the manner in which lump butter is weighed in the private scales; and I believe they would all prefer the public crane, where every thing should be weighed, whether in large quantities or small.

10894. Would it not be well to have butter both inspected and weighed before sale?—I think it would be a very good system to have public inspection.

10895. Is the system of weighing in the markets here generally found to give satisfaction?—I am not aware that the Town Commissioners have any complaint to make of the large public cranes, but there are private stores in which grievances exist regarding the weighing of butter, and of which there are frequent complaints made. There are also complaints made of the manner of weighing flax in small quantities, not more than four stone.

10896. Do they charge the weighmasters in the public markets here with any thing unfair?—I have not heard any thing of the kind.

Mr. *Mathew Anderson* examined.

716. Mr. M. Anderson.

10897. Where do reside?—About five miles from Omagh.

10898. Are you a farmer?—Yes, I hold over 200 acres of land.

10899. Do you sell in this market?—I do.

10900. Do the farmers, generally, complain of the system of weighing, the deductions, and the multiplicity of markets in Omagh?—They do; I may come into the market with a load of oats, and wish to deal with a particular merchant. Perhaps he may be in a market at the other end of the town, and I may remain all day expecting him, and he may not come until it is too late. Then I cannot see who are looking for oats, or know whether there is a demand for oats at all; but if all the markets were concentrated in one place, I would know who were looking for oats, and what the markets were doing. I may now have to run from one end of the town to the other to see what is doing in the markets.

10901. Would you be in favour of a general market?—I would certainly; I fear, as far as Omagh is concerned, it would be hardly practicable to have all the markets in one yard, but they might be all in one locality. It might operate against some of the townspeople—the publicans, for instance—but it would serve the farmers. I think also we very much require a public inspector for oats here to protect the seller as well as the buyer, who might be a referee if a dispute arose between buyer and seller, and not allow the buyer to put all he thinks proper to deduct into his own pocket.

10902. Would you have the inspector the party to prosecute in case of fraud upon either side?—Unquestionably.

10903. Would you object to be obliged to pay a small charge for such a market?—Certainly not; but with respect to fairs, it would be a great advantage to take them off the public streets; but the question is, would the people object to pay toll? Now, I think it would injure Omagh more than other towns, because in some places they have established fair-greens without toll or custom, and people would naturally bring their cattle to the place where no charge was made. If they were the same all over the country, of course then it would make no difference.

10904. If you were going to send cattle to Omagh, would you not rather pay a small charge for an enclosed market than have your cattle in the streets?—I would, certainly; but if I could get accommodation in another place without charge, I would rather go there. It is not very much inconvenience to me to stand upon the road; the inconvenience is more to the passer-by.

10905. Would you be in favour of an assimilation of weights and measures all over the country?—Decidedly; we have a most absurd system at present.

10906. Would you be in favour of the decimal system?—Most decidedly; a man could not be deceived then. I may remark, that Mr. Taylor stated here that buyers pay for half the odd pounds over seventy pounds. Now, I believe a great many farmers here will bear me out in saying that it is very hard to get the buyers to pay for even half. Then in weighing the butter the cask must strike three times, and lie upon the ground, but when they are

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716. Mr. M. Anderson.

weighing the vessel it must not turn at all—in fact it must weigh up; it must turn the other way, which is a great injustice.

10907. Is there not a great deal of complaint about the farmers steeping the firkins?—That may be done.

10908. Would it not be the best plan to pay for every pound, and to let prices be regulated accordingly?—Most certainly; in Liverpool they pay me to the very penny. Here you must give one pound extra in the small cranes; and I do believe that if a person had not the butter weighed before, very great frauds would be practised. I remember a person sending butter to me which he requested I would sell in small portions in the market. A ticket was sent me of the weight. When it was weighed it lost two pounds on the forty pounds, which I fully believe was a dead loss to him. That was the only thing coming under my knowledge, but indeed the complaints were numerous. I heard several people say that they went to Mr. Taylor and sold butter, and kept the ticket, and they found a great difference between his weights and the private weights. I believe if persons weigh with Mr. Taylor's weights a great many purchasers will object to buy from them.

10909. That altogether refers to lump butter?—Yes.

10910. You would be in favour of having all produce weighed to the pound?—Decidedly.

10911. And by sworn weighmasters?—Yes; I think that would check fraud to a great extent.

10912. Are not all these deductions calculated to make the farmer dishonest?—I am sorry to say they must be so; but if a man is decidedly honest, he will strive to work through it. With regard to flax, I think allowing a heavy down draught is very objectionable. I think when the beam turns, it should be sufficient, just as you weigh a pound of sugar. The proof that the buyers derive a benefit from these down weights is that they object to have it weighed in larger quantities than four stone. If they had no benefit from the down draught, why should they not allow you to put two or three hundred-weight into the scale at once, if the scale would contain it. Then not weighing corn to less than seven pounds is very objectionable; a man may frequently lose nine pounds in that way.

10913. Would you be in favour of having all firkins branded by a sworn weighmaster?—I would; but it would not cure the present evils. A firkin, if you sell it at once, will not soak one pound; but if you keep it for a few months, it may soak three or four pounds. Now, if I have half a dozen firkins, and sell them all in a few weeks, they will not gain any thing, and I, therefore, lose all the tare. On the other hand, if I keep them for six months, they may soak four pounds each.

10914. We were told that unless a firkin were steeped in a boghole, it never would soak more than two pounds?—I have seen a firkin weigh four pounds soakage, but perhaps it was not branded right at first.

10915. Would you have every market begin and close at a stated hour?—I think it would be absolutely necessary to have every market begin at a fixed hour by ring of bell; but I would scarcely approve of having a stated hour for closing it.

717. Mr. Joseph Moore.

Mr. *Joseph Moore* examined.

10916. Are you a farmer?—I am.

10917. Do you agree in the opinions of Mr. Anderson?—I do, fully; and I would not object to pay a fair price for good accommodation, at either market or fair, and I think the farmers would have no right to object to it.

10918. Would you be in favour of weighing all agricultural produce to the pound, under sworn weighmasters, and abolishing all deductions?—I would.

10919. Would you have the markets begin at regular hours?—I would.

10920. And have an uniform system of weighing?—Yes; that would give great satisfaction to the public.

10921. Would you have all fairs removed off the streets into enclosed fair-greens?—I would. No person can pass along the footpath here on a fair day, with the pigs and cattle, which causes great danger; and since the traffic has now gone towards the terminus of the railway, it will be far worse.

10922. Would you have all the farmers' produce weighed standing beam, and let the merchant regulate his prices accordingly?—I would; for the moment you allow the liberty of down weight, there will be no end to it.

10923. Would you have all produce bought by tons, hundreds, and stones?—Decidedly.

718. Mr. Andrew Rogers.

Mr. *Andrew Rogers* examined.

10924. Where do you live?—About two miles and a-half from Omagh.

10925. Do you generally concur in the opinions of Mr. Anderson?—I do. I beg to say that I am in favour of weighing according to the decimal system, and I think it could be adopted without very much inconvenience or great expense.

10926. Would you be in favour of having enclosed fair-greens?—Decidedly.

10927. You would not object to pay a small charge?—Certainly not.

10928. Would you have the charge paid upon entering the fair-green?—Most decidedly upon entering.

10929. Do you think if there were a proper market established, with a fair charge, the farmers would try to evade the charge by selling in the streets?—No; I think the more respectable portion of them would not; and on account of the merchants resorting there,

hardly any class of the farmers would do so. I do not think having an inspector for oats would be found to work beneficially; and I should like to have a separate market for each kind of produce, so as to distribute the custom of the farmers all over the town.

718. Mr. Andrew Rogers.

10930. Would you have them under one control?—Most certainly. As near the railway station as the markets for heavy commodities could be got the better for the farmer.

Mr. *William Scott* examined. 719. Mr. William Scott.

10931. Do you reside in Omagh?—I do.

10932. Are you a miller?—I am. We have to complain here that oats are frequently re-sold, for a higher price, after being sold to us, and that there is no redress. I have known that done to myself.

10933. Would you be in favour of a well conducted public market, in which all agricultural produce should be sold and weighed?—I think all parties would agree to it.

10934. Would you not object to buy there?—No; it would be a great advantage both to the buyer and the seller.

10935. Would you be in favour of an assimilation of weights and measures?—Most decidedly.

10936. Would you approve of the decimal system?—I think the general weights of the country, tons, hundreds, and stones, would be the best, the people are so used to the system.

10937. But if a change is to be made, is it not better to go to the best system at once?—Well, it certainly is.

10938. Would you have the farmer paid for every pound of his produce, and abolish all deductions?—There could be no objection to doing so, for we could just regulate our prices accordingly. I would approve of every thing which would simplify the matter between the buyer and the farmer.

10939. Would you have all fairs removed to enclosed fair-greens?—Yes; I think it is a great nuisance to have them in the streets.

10940. As a seller, you would not object to pay a small charge on entering a fair-green?—I would not.

Mr. *Thomas Callaghan* examined. 720. Mr. Thos. Callaghan.

10941. Where do you reside?—Eight miles from Omagh.

10942. Do you buy firkin butter?—Yes; firkin and lump butter.

10943. Do you weigh in the market?—I weigh the firkin butter in the market, but I weigh the lump butter myself.

10944. Would you be in favour of a public market for butter, and all other agricultural produce?—I would; it would give every man a fair share of trade. I know parties who sell cheaper than I can do sometimes, although they buy at the same price. I would not let a butter buyer weigh one pound of lump butter, but have it all done by the weighmaster. Let every man be on an equality.

10945. Would you pay for every pound?—Decidedly.

10946. Have you known many frauds in weighing butter?—I have seen a great many. The firkins sometimes are marked twelve pounds, and they weigh seventeen pounds. The farmer goes to the cooper and says, "you know I will lose so many pounds, so put plenty of stuff in the firkins." Firkins should be all made of oak.

10947. Would you have them all branded by a sworn person in the public market?—It could not be done without trouble in the public market; the cooper might brand them himself.

10948. How do you know he will not make them too heavy?—He will not make oak too heavy; it is too dear. It would be inconvenient to the poor tradesman to have to send perhaps three firkins into the market to be branded.

Mr. *Nathaniel Carson* examined. 721. Mr. Nathl. Carson.

10949. Where do you reside?—In Omagh. I beg to say, that very great obstruction arises in the streets here from having carts of turnips, and, in the season, cabbage plants, and sometimes fish, ranged along the streets.

10950. Is there a weigh-bridge in the town?—There is, in Mr. Donnelly's market.

10951. Where is hay and straw sold?—In the streets; there is no market for it. Meat is also sold in the streets. The Town Commissioners made an attempt to remove the butchers' meat; but they found the law so complicated, that they failed in it. Poultry and eggs are also sold in the streets, in another part of the town.

10952. You would have the markets all in one place?—Decidedly.

10953. Do you think the townspeople generally would be in favour of it?—I think they would.

10954. And removing the fairs out of the streets?—Yes.

Rev. *John Arnold* examined. 722. Rev. John Arnold.

10955. Do you reside in Omagh?—I do. I would like to see a distinct market for each article, but not all in one place. I would like to see all the improvements mentioned to-day introduced; but I should not like to have all the markets put into one.

OMAGH, 25th *January*, 1853.

Statement of Town Commissioners.

GENTLEMEN,

The Commissioners of the town of Omagh, in calling your attention to our markets and fairs, beg leave to lay before you a short statement, in order that you may be able to form a more correct idea of them.

We have in this small town five separate markets for the sale of grain and other produce, which we consider a great cause of complaint from both buyers and sellers.

Our fairs for the sale of horses and other cattle are also held in the public streets, having no other place for them, which is sometimes attended with great danger to persons passing through a narrow crowded street; and if possible, we would wish on our part, that it should be pressed on the legislature the necessity of empowering some public body to regulate the markets and fairs of towns such as this is, having no Corporation to watch over their markets or fairs.

We would also wish that each different produce, such as grain, flax, and butter, should each be sold in a separate market.

We would also wish, that a proper place for the sale of all kinds of cattle should be provided for them, in order that they may not be exposed for sale on the public street, to the great danger of persons passing in a crowded thoroughfare.

The Commissioners also beg leave to mention, that in the sale of butter and flax particularly, there is much cause of complaint in Omagh Market, respecting the weighing of same in private scales, by which means the persons disposing of same, are at a very great loss; and the Commissioners would beg leave to suggest the propriety of having all produce coming into market weighed at the public crane, which will be more fully explained by some of our respectable farmers, who will attend at the investigation this day in the courthouse.

We have the honour, to be, gentlemen, your obedient servants,

WILLIAM ELLIOT,

Chairman of the Commissioners of the Town of Omagh.

The Fairs and Markets' Commissioners,
Presiding at Omagh.

Memorial.

To the COMMISSIONERS appointed by His Excellency to inquire into the state of FAIRS and MARKETS in Ireland.

The memorial of several of the farmers adjoining the town of Omagh,

SHEWETH—That the practice heretofore was to take a reduction of eight pounds per hundred-weight of flax, and take off one-twentieth of every hundred-weight of butter, and vessels in proportion.

We, whose names are hereunto attached, do request you will discontinue such practice, and that we will in future be entitled to the whole amount of any commodities we may bring into market.

JOHN CRAWFORD,	GEORGE GRAHAM,
JAMES M'KERNAGHAN,	JOHN CLEMENTS,
THOMAS WILSON,	WM. WATSON,
JAMES WILSON,	DAVID CLEMENTS,
WILLIAM Y. MOORE,	JAMES CARSON,
ROBERT RAMSAY,	ROBERT CHARELTON,
PATRICK ALEXANDER,	JAMES DELAP,
ISAAC MAYNES,	JOHN CALDWELL,
WILLIAM RUTHERFORD,	JOSEPH WATSON,
ALEX. RUTHERFORD,	WILLIAM W. GREEN,
WILLIAM YOUNG,	JAMES WATSON,
JOHN IRWINE,	FLEMING WILSON,
JOSEPH M'CLINTOCK,	WILLIAM CARSON,
JOSEPH HARVEY,	WILLIAM OSBORNE,
JOHN M'GURGANE,	WILLIAM DUDGEON,
JOHN BARBER,	SAMUEL YOUNG,
IRWIN BEATTIE,	SAMUEL MATHEWS,
JOHN NICKLE,	JOHN CLEMENTS,
EDWARD TREACY,	ISAAC DUNN,
JAMES WATSON,	JAMES M'CREERY.

Omagh and Neighbourhood, 25th *January*, 1853.

STRABANE, 26th *January*, 1853.

723.
Mr. Wm. Ramsey.

STRABANE, JANUARY 26, 1853.

Mr. *William Ramsey* examined.

10956. Do you reside in Strabane?—I do.

10957. Are you Chairman of the Town Commissioners?—I am.

10958. Can you state under what patent or authority the fairs and markets in this town were established?—They are held under a patent granted to the old Corporation of Strabane, dated the 18th of March, in the tenth year of the reign of James I. I think there is a patent for the new fairs to Lord Abercorn.

STRABANE, 26th January, 1853.

723. Mr. Wm. Ramsey.

10959. Then the Town Commissioners, as successors to the old Corporation, are the proprietors of the fairs and markets?—They are.

10960. What are the market days?—Tuesday and Saturday were the days granted by the patent. Tuesday is the principal market, but we have also Wednesday for flax, and Thursday and Saturday for grain.

10961. What are the fair days?—I believe there were only two fairs in the charter, the 1st May and 1st November, old style. There are now quarterly fairs, on the 1st February, 12th May, 1st August, and 12th November. There are other fairs held upon the first Thursday of every month, except when the quarterly fairs occur.

10962. Was there any patent obtained for holding these fairs and markets?—I should think there was a patent obtained for the fairs every month, but the market days were altered merely to suit the convenience of buyers and sellers.

10963. Were the fairs on 1st August and 1st February only established by general consent?—I think there was a patent obtained for them by Lord Abercorn.

10964. Then the Corporation have only the two fairs in the patent, and Lord Abercorn has the other ten?—Just so. Lord Abercorn is proprietor of the sites of the markets, and he is joined with the Commissioners in the revenues arising from them. He receives half the emoluments, after certain charges are defrayed.

10965. Is that as rent?—It is.

10966. Not as a share of the tolls?—No; it is only a temporary agreement from year to year; and I may mention that the arrangement is a matter of very great dissatisfaction to the inhabitants, but we have no alternative.

10967. Are tolls paid at the markets or fairs?—No, but there are charges for the occupation of the markets, and there is no extra charge for weighing.

10968. Do the Commissioners receive the revenues arising out of the butter market?—They do. Lord Abercorn has no dividend out of the flax or potato markets at all. He allows £50 a year towards the lighting of the town. We also pay him for the interest of his outlay upon the wheat market.

10969. Are there schedules of the tolls charged posted up?—There are.

10970. Do they exactly state the tolls which are charged?—Exactly.

10971. Are the charges paid by the buyer or the seller?—By the seller. The farmer pays for all.

10972. Does he also pay for the lighting of the town?—He does, for which we give him all the accommodation we can when he comes to Strabane.

10973. Are there enclosed market-places here?—Yes, they are all enclosed. There is an enclosed corn market, more than half an acre in extent, surrounded with sheds, and with two weigh-houses in the centre.

10974. How many beams and scales are there?—Two permanently, and sometimes a third is erected to meet a large market, and there is a weigh-bridge.

10975. What is your staff?—Three persons sometimes, but only two clerks permanently. We have one person who superintends the whole markets generally; we have one permanent clerk, one permanent weighmaster, and two occasionally in addition.

10976. How many porters?—They vary according to the work to be done; four are required to each scale. That market is entirely for oats.

10977. Is the butter market enclosed?—It is, with two beams and scales. Pork is also sold there, and wheat, and barley.

10978. What is the next market?—The flax market, also enclosed, with sheds and stores, and sometimes three beams and scales, but only one for ordinary use, and a weigh-bridge. Potatoes, meal, and green crops, are also sold there.

10979. Where are hay and straw sold?—Generally in the streets; there is no separate market for them.

What other market is there?—The meat shambles, where hides are also sold.

10980. Are the fairs held in the streets?—They are.

10981. Have you an inspector of butter?—We have, and a corn inspector.

724. Mr. Thomas Watson.

Mr. *Thomas Watson* examined.

10982. Do you reside in Strabane?—I do.

10983. What office do you hold?—I am general superintendent, appointed by Lord Heytesbury, at the request of the Town Commissioners.

10984. What staff are employed in the markets?—Four clerks, or weighmasters, permanently; and sometimes six.

10985. Are they sworn?—Yes, every man acting in the market as weighmaster is sworn.

10986. Can you give a list of the charges in the market?—Yes.

RATES of CHARGES in the different Markets held in Strabane.

Grain market, 2*d.* per draught, not to exceed 40 stone; weigh-bridge in same market, 6*d.* per load, or 1*s* per ton.

Butter market, under 40 lbs., 2*d.*; under 70 lbs., 3*d.*; above, 4*d.*

Potato market, 1*d.* per load; custom, or 2*d* per draught, not to exceed 40 stone.

Turnips, carrots, &c., &c., same.

Meal, 2*d.* per draught, or 1*d.* per cwt.

Flax market, 2*d.* per cwt., per 124 lbs.; weigh-bridge in same market, 6*d.* per load, or 1*s.* per ton.

Pork, 2*d.* per dead pig.

SHAMBLES.

Beef, per carcass, 6*d.*; pays no more till sold out.

Mutton, do., 2*d*;
Fed veal, do., 3*d*;
Pork, do., 2*d*;
} do. do. do.

Hides, country, 2*d.*

STRABANE, 26th January, 1853.

724.

Mr. Thomas Watson.

10987. Is the money paid to the clerks in the markets?—Yes, and they account to the treasurer for it.

10988. Do they receive fixed salaries?—They do.

10989. Is all the agricultural produce sold in the town weighed in the market scales?—Farmers sell grain to different merchants at their stores, and weigh it there, and it does not come into the market at all. Corn and butter are both sometimes sold out of the public market.

10990. Is all the agricultural produce which is sold inside the public market weighed in the scales there?—It is.

10991. The charge is paid whether it is weighed or not?—As a rule we demand it.

10992. If a person came into the market and did not sell, would you charge?—Yes, but we would give him a blank ticket, and make no charge the next time.

10993. Does the clerk always give a ticket?—He does.

10994. Does he keep a copy of it?—He keeps a duplicate of it in the block-book.

10995. Is corn sold off the cart?—No, it is lowered into the market, and when the bell rings at ten o'clock the selling of the grain commences.

10996. Do you find porters for the sellers?—We do.

10997. Do they lift the corn off the carts?—They do not.

10998. Do you weigh before sale?—We would, if required; but, as a custom, we weigh after the sale.

10999. What is your system of weighing grain?—Down weight, with seven pounds.

11000. What weight will bring your scale from standing beam down to the ground?—I dare say two pounds.

11001. Then the farmer may lose any thing short of nine pounds?—He may.

11002. What deductions?—Seven pounds for a sack, and five pounds for a bag. There is no deduction for beamage.

11003. Does the weight of the bag or sack appear in the ticket at all?—No; we give the net weight, the seller's name, and the date. The buyer gives a buying-ticket to the farmer, with the price, but we have nothing to do with it.

11004. Is all grain weighed on the same system?—Yes; wheat is weighed by the barrel, but just the same way.

11005. How is butter weighed?—It is brought in in firkins, butts, and very few crocks.

11006. Did the inspector receive compensation from Government in 1829?—No; he continued on at his own salary.

11007. Had he a fixed salary?—He had.

11008. Do the buyers qualify the butter themselves here?—They do.

11009. What is the system of weighing?—Down weight, to the pound, one pound to the score taken off, and whatever tare the cooper and myself decide. Sometimes we strip the firkin, if the parties do not like the decision.

11010. Is the one pound to the score taken off the gross weight?—Yes; off the butter and off the wood.

11011. Is every pound paid for?—Yes; every pound is now paid for.

11012. Is every pound of corn paid for?—No; nothing under half a stone.

11013. Does the buyer charge for cooperage?—One penny each package, for a store; but that is not an arrangement in connexion with the market at all.

11014. Does he charge any thing else?—Nothing.

11015. Is the system of weighing butts and crocks the same?—Just the same.

11016. How do you deduct the weight of a crock?—We must suppose it, generally; but if it is a regular English crock we take one-third of the weight.

11017. How do you weigh pork?—By the 112 pounds, and it is bought by the 120 pounds. We weigh it to the pound, down weight, and give the ticket in gross, making no deduction.

11018. What does the merchant deduct?—I understand he takes eleven pounds off every pig, large or small.

11019. What does he charge?—I cannot state of my own knowledge, but I hear that he charges 2*d.* a pig.

11020. Nothing else?—I think not.

11021. How does he bring the weight from short hundreds-weight into long?—By bringing the whole weight into pounds, and dividing by 120.

11022. Have you an inspector of pork?—No.

11023. What is your system of weighing flax?—We weigh by the score, down weight to the pound, and it is bought by 124 pounds, or rather, I believe, by 120 pounds, and four pounds deducted.

11024. What quantity will you weigh in a draught?—We would not weigh 124 pounds in a draught; but any thing under that, as little over half a hundred-weight as possible.

11025. Does the buyer make any charge?—I think not.

11026. Is every pound paid for in pork?—It is.

11027. At the full price?—Yes.

11028. What is your system of weighing potatoes?—By the hundred-weight of eight stone, and we allow the use of a bucket and beam, if necessary, to weigh them out.

11029. How do you weigh them?—Down weight to seven pounds, and the same deduction for sacks as in corn.

11030. No beamage?—None.

11031. How do you weigh on the weigh-bridge?—With nothing less than seven pounds.

724. Thomas Watson.

11032. Is there much corn sold and weighed out of the market?—There is a great deal. I heard, the other day, that a certain miller here need not come to the market in consequence of the quantity brought into his yard.

11033. Have you ever heard of any frauds practised in weighing at the private stores?—I have heard a great many complaints of parties not giving fair weight in lump butter, which is entirely sold outside the market.

11034. Does the weighing in the market give satisfaction?—I think very much so.

11035. Provided there was an Act of Parliament making it compulsory to sell and weigh all the produce in your markets, do you think they are sufficiently large?—I think they are.

11036. Have you a sufficient number of beams and scales?—I think so.

11037. Are your fairs held in the public streets?—They are.

11038. Are they large fairs?—The monthly fairs are large.

11039. Are the streets much crowded?—Only in one particular part of the town.

11040. Was there ever an enclosed fair-green?—There was, but it was before my time.

11041. Are not the fairs considered inconvenient in the streets?—I cannot say.

11042. Are your markets increasing?—I think they are.

725. Mr. David Mitchell.

Mr. *David Mitchell* examined.

11043. Do you reside in Strabane?—I do.

11044. Are you one of the Town Commissioners?—I am.

11045. Do you think the markets here are well conducted?—I think one cause why so much produce is delivered at private stores is that the farmers are greatly annoyed in the short days of winter by the thronged state of the markets, and the barrowmen looking for bribes. The barrowmen will go round to the farthest part of the market for a man who will give them 1*s.*, and leave a man who only gives them 3*d.*, to the very last moment. A gentleman named Mr. Pherson told me that he never goes to the market, but has erected scales of his own in consequence. The market has been very much injured in consequence. The fault rests very much with the farmers, who want to get home, and prefer paying these men something. The Commissioners have frequently issued advertisements that they would dismiss any one who was proved to have taken a bribe.

11046. How many sacks of corn are weighed here?—Sometimes over 5,000 in a day; 3,000 bags are a very common market for three months of the year.

726. Mr. John Boyle.

Mr. *John Boyle* examined.

11047. Where do you reside?—About two miles from Strabane.

11048. Do you sell corn here?—I do.

11049. Do you carry it to the market?—I do not, because I was treated badly there; and if I did not choose to pay the barrowmen, I would not get my corn weighed until night.

11050. If there were proper accommodation established there, would you go back to the market?—I would, for I could get 1*s*, 8*d.* a stone more in the market.

727. Mr. John Macbeth.

Mr. *John Macbeth* examined.

11051. Where do you reside?—About two miles from this.

11052. Are you a farmer?—I am.

11053. Do you sell in this market?—I sell mostly in the market; but I would rather sell out of it on account of the bad treatment we get there by the barrowmen delaying us if we will not bribe them. The whole of the farmers here will say the same.

11054. What do the barrowmen generally get?—From 3*d.* to 1*s.* The more you give, the sooner you will get away.

11055. Do you generally approve of the other arrangements in the market?—They are tolerably regular, except that; but I complain that the Commissioners do not change the barrowmen, some of whom are thirty years there.

11056. Did you ever make a formal complaint?—Yes; this very year. I think the principal object of the Commissioners is saving the money.

11057. If there was a proper, well-regulated, public market, would you be in favour of having every thing sold and weighed there?—I would.

11058. Would you object to pay a small charge to support it?—I would not.

11059. Would you be in favour of an assimilation of weights and measures, and a uniform system of dealing over the whole country?—Yes; it would give very great satisfaction.

11060. Would it not be right to pay for every pound of the farmer's produce, and abolish all deductions?—That is the wish of every one of us.

11061. Would you have the actual weight of the sack or firkin deducted in every case?—Exactly so.

11062. Would you have all fairs held in proper well enclosed fair-greens?—I would be very glad to have it so. It is a great nuisance to passengers here, when the monthly fair happens. I would be willing to pay for my cattle and my horses, whether I sold or not, if there were an enclosed fair-green; and, as far as I can hear, the farmers, generally, would be very willing to do the same.

11063. Do you think all produce should be weighed standing beam?—I would like to give fair weight, but I think we lose a great deal in corn by odd pounds under half a stone, and I think all the odd pounds ought to be totted up.

STRABANE, *26th January*, 1853.

Mr. *James Torrens* examined.

728. Mr. James Torrens.

11064. Where do you reside?—Near this town.

11065. Are you a farmer?—I am.

11066. Do you sell in this market?—Only sometimes. The weighing often lasts until dark in the market. A friend of mine sent in some oats here last market, and desired it to go to Mr. Smith's, in consequence of the saving of time. The Commissioners should put up more cranes, and have extra hands upon a market-day. I have sometimes given a trifle to the barrowmen myself, like all other farmers, and I consider it was certainly very unfair, for it is the means of keeping other persons who may not like to do so until the very last hour.

11067. If there were a proper, well-regulated market, would you object to go there?—I have found myself very well treated at Mr. Smith's.

11068. Is not a well-regulated public market the best place?—Certainly; I would prefer it. On Tuesday last, a person sold oats in the market for 9*d*., and I saw better oats go to Mr. Smith's for 8$\frac{3}{4}$*d*. I would prefer going to Mr. Smith's than to any public crane; but as a system all over the country, I think the general market would be the best.

11069. Is there any check upon a person weighing in private, if he wishes to defraud?—None whatever.

11070. When does the buying here begin?—At ten o'clock.

11071. When is it generally over?—Twelve o'clock, I think, is about the average, but it lasts frequently until two o'clock.

11072. If a man has sold his corn at ten minutes after ten o'clock, can he go at once and weigh?—He can.

11073. Would you be in favour of an assimilation of weights and measures all over the country?—Yes; by the 112 pounds, which I think would be the best.

11074. Would you have the officers at the head of the market empowered to arbitrate in cases of dispute between buyer and seller?—Decidedly.

11075. You would not leave it entirely to the buyer to decide?—By no means.

11076. Would you have penalties recoverable in a summary way for all frauds committed by either party?—I would.

11077. Would you have all agricultural produce weighed to the pound, and abolish every deduction but the actual weight of the empty sack or firkin?—I think so.

11078. Would you be in favour of enclosed fair-greens?—I would.

11079. Would you object to paying a small charge upon entering the fair-green?—I would not. I think no fair, but particularly the horse fair, ought to be allowed in the streets; it causes very great risk.

729. Mr. Walter Scott.

Mr. *Walter Scott* examined.

11080. Do you reside in Strabane?—I do. I wish to remark that I think the decimal system of weighing would simplify matters to an immense extent, to the farmers, and to the community generally.

11081. Would the alteration involve much expense?—It would take some expense; but it would only require a very little time to understand the system.

11082. You would be in favour of the alteration?—Most decidedly.

730. Mr. John M'Crea.

Mr. *John M'Crea* examined.

11083. Do you reside in this neighbourhood?—I do.

11084. Do you agree to Mr. Scott's suggestions regarding the decimal system?—I do, most fully.

11085. Do you consider the accommodation in this market sufficient?—I do not.

11086. As a general rule, would you be in favour of having public markets established everywhere?—I would.

11087. Are you in favour of having enclosed fair-greens?—Very much so.

11088. Do you think the farmers would object to pay a small charge for a good standing?—I think they would be quite willing to do so, and I think it would be a great advantage to the townspeople. The fair is held here opposite the post-office, at the great entrance to the town, and it is a very great inconvenience to all parties.

11089. Would you have all agricultural produce weighed standing beam to the pound, and abolish all deductions?—I would; most certainly.

11090. Is not the present system of having different measures everywhere very confusing to the farmer, and useless to the buyer?—There is, generally, one uniform system for each kind of produce, and there is not, therefore, that great confusion; but, certainly, all ought to be weighed in the same way.

11091. Would it not be very desirable that the whole transaction should close in the market, and that the clerk of the market should make up the ticket the same as if it were a merchant's store?—It would be impossible.

11092. Why?—Because the prices are not in the market ticket.

11093. But let the farmer get a buying ticket from the merchant to be shown to the clerk?—That might be very advisable; but I think it would impose too much trouble upon the clerk.

731. Mr. Wm. Singerson.

Mr. *William Singerson* examined.

11094. Do you reside in Strabane, and what is your occupation?—I do. I am a farmer and manufacturer.

11095. Do you concur generally in the suggestions which have been made here?—I do, to the fullest extent; and I think the Government would confer a great benefit upon the

STRABANE, 26th January, 1853.

731.

Mr. Wm. Singerson.

country by giving an uniform weight of 112 pounds to the hundred-weight, which is the mercantile weight in law in all commodities.

11096. Would you be in favour of the decimal system?—I would prefer the 112 pounds. I never, indeed, considered it.

11097. Would you have the farmer paid for every pound of his produce?—Certainly; why should the merchant want a pound over what is his right?

11098. Would you have the market commence at a stated hour?—Certainly.

11099. Do you think the accommodation here is sufficient?—I think it is very good. I think the grain market does not require an addition.

11100. Do you sell in this market?—I do.

11101. Have you to pay the barrowmen?—I think it is only a small matter to give 6*d.* to a barrowman; I sell very little here, and it is at my own pleasure if I give it.

11102. Would you have enclosed fair-greens everywhere?—I would.

11103. Would you be willing to pay a small charge on entering?—Very willing.

Receipts and Expenditure.

RECEIPTS and EXPENDITURE on account of Strabane Markets.

	RECEIPTS.			EXPENDITURE.												
				Salaries.			Rents.			Taxes and Repairs.			Incidental Expenses.			Total.		
	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
1850, . .	813	8	4½	251	9	11	244	12	3	62	16	6	44	5	3	603	3	11
1851, . .	786	1	0	245	13	10	191	7	6	23	2	7	53	1	1	513	5	0
1852, . .	785	17	6½	230	7	6	145	3	4	16	8	1	27	4	10½	419	3	9½

The above statement is confined to the markets, and does not include any of the town expenses for lighting, cleansing, repairing streets, &c., which are very considerable.

W. RAMSAY.

At a meeting of the Strabane Town Commissioners, held on Monday evening, 24th January, 1853, it was unanimously resolved—

"That a deputation from this body, consisting of Mr. Ramsay, Dr. Mitchell, Mr. Gwynn, Mr. Lairmoni, Mr. Carlin, Mr. White, Mr. Tynan, with as many other commissioners as can attend, wait on the Government Market Commissioners, to convey to them our satisfaction at their visiting Strabane; particularly as it affords us an opportunity of publicly conveying to the legislature an expression of our desire for an equalization of weights and measures, and an uniformity of practice in the management of public markets, not only in Ireland, but in the United Kingdom, generally. That our experience in the management of the markets of Strabane (admittedly one of the largest market-towns in the north of Ireland) has taught us that the want of uniformity is productive of much confusion and litigation, tending to destroy that harmony and good feeling which should always exist between the merchant and the farmer; leading also to most dishonest practices on both sides, and to the over-reaching and injury of those who are inexperienced in public dealing. A few examples will illustrate these observations:—

"In the flax market, the hundred-weight is 124 pounds, hereby allowing four pounds for what is called nettage, a practice which, we think, might be dispensed with in perfect consistency with justice; and we have lately heard of a case in which an additional nettage was claimed after the quantity bought exceeded a ton weight,—thus proving the necessity for an improved system.

"In the pork market, whether the dead pig sold be large or small, a deduction of eleven pounds is made for nettage: a deduction which, in the case of a small pig—say of one hundred-weight,—must be considered exorbitant. A live pig is sold for what it is supposed to be worth without any deduction, and we see no reason why a dead pig should not be sold at its weight in the same way, as the buyer could meet his loss from offals by commensurate lowness in the price per hundred-weight.

"In the butter market much annoyance is experienced, arising from the allowances in weight to buyers varying in different towns; some towns thinking it their policy to make large allowances, to encourage the attendance of buyers in their markets, and others thinking it better to make small allowances, to encourage the patronage of farmers. In this trade, too, we think that a stop should be put to the private selling of what is called "lump butter," to prevent the many frauds which are practised; and that all such butter should be bought by weight of the butter market.

"In the sale of hay and straw uniformity is also required, the hundred-weight being sometimes 112 pounds, and at other times 120 pounds.

"With regard to fairs, we think there would be much improvement in having them held in places appropriated for the purpose (charging a small toll or custom), instead of the public streets and roads, as at present.

"WILLIAM RAMSAY, *Chairman.*"

ENNISKILLEN, 27th January, 1853.

732. Henry Echlin, esq.

ENNISKILLEN, JANUARY 27, 1853.

Henry Echlin, esq., examined.

11104. Do you reside at Enniskillen?—I do.

11105. Are you agent to Lord Enniskillen?—I am.

11106. Under what patent or authority are the markets and fairs established here?—There was a patent to Sir Wm. Cole, predecessor of Lord Enniskillen, in the tenth year of the reign of James I.

11107. What did it grant?—A weekly market on Thursdays, and an annual fair upon every 1st of August—Lammas day with tolls.

11108. Was there a second patent?—Yes; letters patent were obtained by the late Earl of Enniskillen, in the fifty-third year of George III., for nine fairs to be held on the 10th of each of the following months:—January, February, April, June, July, September, October, November, and December.

11109. Is there any other patent?—I am not aware of any.

11110. What are the market-days now?—Monday and Tuesday, the butter market; and Thursday the principal corn market.

11111. Was there any patent obtained for the markets held on Monday and Tuesday?—No; they were merely held by general agreement.

11112. How many fairs are now held?—Fourteen in the year; on the 10th of every month I have named, and also upon the 10th of March, 10th of May, 26th of May, 10th of August, and 26th of October.

11113. When were the additional four fairs established?—I am not aware; it was before I was agent to Lord Enniskillen.

11114. Who is the present proprietor of the fairs and markets here?—The Earl of Enniskillen.

11115. As the representative of Sir William Cole and the late Earl of Enniskillen?—Exactly.

11116. Are there tolls paid either at the markets or the fairs?—There are charges for weighing; but I do not know of any tolls.

11117. Suppose a person went into the market and sold there, but did not choose to weigh, would he have to pay?—No.

11118. Then there is no charge except cranage fees?—None.

11119. Were tolls formerly levied here?—They were.

11120. Why were they abandoned?—It was because they were of little value, and also there was a strong feeling against them in 1846 and 1847.

11121. They have not been collected since?—Never.

11122. When they were collected, were they in Lord Enniskillen's own hands?—Yes; I received them.

11123. Are the charges for weighing paid by the buyer or the seller?—By the seller.

11124. Are there enclosed market-places here?—Yes.

11125. Has any public body any control over the markets?—I know of no patent granted to any public body; but the present Town Commissioners enclosed the old fair-green after 1847, and I believe they collect trespass there for the use of it.

11126. Was that the place where tolls were levied by Lord Enniskillen?—It was.

11127. Whose property was it?—It was a public common. I understood that it belonged to the town, but the Town Commissioners afterwards enclosed it.

11128. What market accommodation have you got at present?—A corn market enclosed.

11129. Is that the property of Lord Enniskillen?—It is.

11130. Is it surrounded by sheds and stores?—Yes.

11131. How many beams and scales?—One.

11132. Is there a weighmaster?—There is.

11133. And porters and barrowmen?—Yes.

11134. Is there a weigh-bridge there?—No.

11135. What is sold there?—Grain of all sorts, flax, potatoes, and green crops.

11136. Is there a second market?—Yes; a butter and grain market enclosed.

11137. Why is not all the grain sold in one market?—It is not large enough, and the merchants have stores in both.

11138. How many beams and scales in the second market?—One for butter and two for corn.

11139. Is there any other market?—There is a pig market.

11140. Where is it held?—In the public streets.

11141. Is there a dead pork market?—No.

11142. Have you a fair-green?—Yes.

11143. Is it enclosed?—It is.

11144. Is it the property of Lord Enniskillen?—It is.

11145. What is its extent?—I think four acres, statute measure.

11146. Is any charge made there?—No, it is toll free.

11147. Has a weighmaster been appointed for the market?—Yes.

11148. By the Earl of Enniskillen?—Yes.

11149. Did he get a regular appointment?—He did.

11150. Would you be in favour of having a public market established in every market town?—I would.

11151. Would you approve of having the officers in charge of public markets empowered

ENNISKILLEN, 27th January, 1853.

732. Henry Echlin, esq.

to decide disputes between buyer and seller, with an appeal to the magistrates, if necessary?—The late Act of Parliament gave magistrates the power of adjusting disputes at fairs or markets.

11152. But they cannot adjudicate where the value of the article in dispute is beyond £5?—I think the suggestion you make would be very desirable to have carried out.

11153. Would you be in favour of an uniformity of weights and measures all over the country?—Most certainly.

11154. Weighing by tons, hundreds-weight, and pounds?—Yes.

11155. Have you ever considered the decimal system?—I cannot say I have.

11156. Would you be in favour of having all agricultural produce weighed to the pound, standing beam?—I would.

11157. I suppose you have the same deductions here as in other places?—There are deductions here.

11158. Would you be in favour of paying for every pound of the farmer's produce, and abolishing these deductions?—Yes; I think it would prevent frauds.

11159. And simplify matters?—Yes.

11160. Would it not be an advantage to oblige the persons in charge of the public markets to keep proper statistical returns?—I think it would be desirable; and if the markets were properly kept, there could be no difficulty in it.

11161. Do you think all fairs should be removed from the streets, into properly enclosed fair-greens?—Most certainly; they are a great inconvenience when held in the streets.

11162. When were your fairs removed to the present ground?—On the 26th of October last, when the Commissioners had sold the old fair-green to the Derry Railway Company, in consequence of which there was no other place, and Lord Enniskillen offered the present fair-ground.

11163. Is the new fair-green commodious?—I believe very much so.

11164. Does it give satisfaction?—I believe it does.

11165. Are the cattle separated?—They are.

11166. And parties at the gates to prevent them from getting out?—Yes.

Neal Macken examined.

733. Neal Macken.

11167. Do you reside in Enniskillen?—I do.

11168. Are you in charge of the market?—I am.

11169. Were you appointed by Lord Enniskillen?—I was.

11170. When were you appointed?—In 1846.

11171. What are your duties?—To superintend the market generally.

11172. Do you keep accounts?—I do.

11173. And account for your receipts to Lord Enniskillen?—Yes.

11174. Are all the persons employed in the markets at fixed salaries?—They are.

11175. Is this your list of charges?—It is.

Regulations of the Enniskillen Markets, for Weighing, viz.:—

	s.	d.
For each draught above 20 stone,	0	2½
For each draught from 20 stone to 13 stone,	0	2
For each draught not exceeding 13 stone,	0	1
All carriers' loading, per cwt.,	0	0½
Meal, wholesale, subject to pay, per bag,	0	1
Flax, per stone,	0	0½
Butter, per cask of 70 lbs.,	0	2

N.B.—No carts or cars allowed to remain in these yards during the markets being held; any person so trespassing, after this Notice, shall be prosecuted as the law directs.

By order,

June, 1849. Henry Echlin.

11176. If a person sold in the market, and did not weigh, would you charge him any thing?—No; but almost every thing is weighed.

11177. Was it the Earl of Enniskillen or Mr. Echlin who appointed you?—Mr. Echlin.

11178. Is the corn in the market sold upon the carts?—No, it is put down in the market.

11179. Does the market begin at any regular hour?—It does not.

11180. No bell rings?—No.

11181. When the corn is weighed how is it taken from the cranes?—We have men with barrows who take it from the cranes, and if it has to be delivered about the town.the parties do it themselves.

11182. Have you sufficient accommodation to weigh all the agricultural produce of the town without much delay?—We have.

11183. Were you ever sworn?—No.

11184. What is your system of weighing corn?—Down weight, to seven pounds.

11185. If the scale does not touch the ground, do you throw out seven pounds?—We do.

11186. What will bring the scales, with a heavy draught, from standing beam to down weight?—I think half a pound.

11187. Then the farmer may lose any thing short of seven pounds?—He may; if it does not strike the flags underneath we do not call it weight, but the scales are only about six inches from the ground.

ENNISKILLEN, *27th January*, 1853.

733. Neal Macken.

11188. What do you deduct then for the sack?—Seven pounds, unless the parties make an agreement to have the sacks weighed, when the grain is emptied, and then we do it without making any additional charge.

11189. Does the seven pound lie in the scales?—It does.

11190. It is never brought into the ticket at all?—Never.

11191. Do you keep a copy of the ticket?—We do, and enter all in a book.

11192. What does the ticket contain?—The date, the seller's name, and the weight of the article.

11193. Do you tot up the ticket?—No.

11194. Is there any beamage or other deduction?—None.

11195. Could you tell at the end of the week the quantity sold?—I could, but not the prices.

11196. How do you weigh butter?—Down weight, to the pound, and there is an allowance given of five pounds to the seventy pounds; a cask with a tare of twelve pounds must weigh eighty-seven pounds gross, before it will come to the value of seventy pounds.

11197. Do you always take the tare branded on the firkin?—Yes, and we keep a cooper to examine if there be any thing incorrect, and strip the firkin, if necessary.

11198. Do you deduct five pounds from small or large firkins?—Yes; they are all supposed to hold seventy pounds, net.

11199. Does the merchant make any charge?—He generally stops 3*d*.

11200. What is that for?—Storage they call it.

11201. Do not you give them stores?—Yes, they pay a small nominal rent.

11202. Do you give the ticket for every pound?—Certainly; if the firkin weighs seventy-three pounds, I give the ticket for seventy-three pounds.

11203. If the firkin be under seventy pounds, will the merchant deduct the difference?—He will.

11204. What do the merchants pay for stores?—Some of them pay 5*s*. a-year.

11205. Is butter bought by the 112 pounds weight?—No; by the cask of seventy pounds; if it wants two pounds or three pounds of that weight, so much is deducted from the bargain.

11206. If the firkin were five pounds short, does the buyer deduct five pounds at the price of the whole?—Yes; the same price.

11207. How is flax sold?—By the stone of sixteen pounds.

11208. Is there any deduction?—The purchaser takes what is called "netage"—half a pound to the stone.

11209. Would you weigh any quantity as a draught?—Any quantity whatever.

11210. Does the merchant make any charge?—No; the half-pound to the stone is the only perquisite he takes off.

11211. How do you weigh meal?—By what they call six score to the hundred-weight—the long hundred-weight of 120 pounds; we weigh down weight, to the pound.

11212. How do you weigh potatoes?—We weigh potatoes in sacks, just the same as corn, down weight, to seven pounds; and if it goes above twenty stone, we take one stone off, and if under that, half a stone, for bag and dirt.

11213. Have you scales which you let out for potatoes?—Yes; there is no charge for potatoes.

11214. Either for toll or weighing?—Neither.

11215. What time is the weighing generally over?—Sometimes not until three or four o'clock, just according as the grain comes in.

11216. Is there a butter inspector?—No; the buyers inspect for themselves.

11217. Is there a grain inspector?—Yes;—but, except in case of a dispute, he does not act.

11218. What is your office called?—Storekeeper.

11219. Who is the clerk of the grain market?—A person named Laurence Martin.

11220. Do the farmers complain of your system?—They do not.

11221. Do they never complain of your using no smaller weight than seven pounds?—That has been always the custom.

11222. Is wheat sold and weighed by the barrel?—Yes; of twenty stone.

11223. How are oats and barley sold?—By the stone.

734. Mr. John Halliday.

Mr. *John Halliday* examined.

11224. Where do you reside?—Three miles from this town.

11225. Do you buy in this town?—I do.

11226. Do you consider the markets well conducted?—I think them tolerably well conducted.

11227. Is the accommodation good?—Yes; Lord Enniskillen furnishes stores at a moderate rent to the buyers; but I dislike the plan of having no stated hour for commencing the grain market or closing it.

11228. Is the market accommodation sufficient?—Yes, if thoroughly attended to, but sometimes there is great confusion; the barrowmen crowding forward do not understand each other, and quarrelling occurs, which keeps back the weighing considerably.

11229. Have the farmers to pay the barrowmen?—Yes, for bringing the grain to the merchants' stores; I do not know if Lord Enniskillen pays them any thing.

11230. What do the barrowmen generally receive?—I think 1*d*. a sack.

11231. If a farmer did not employ these men, would he get served as soon as another

man who did?—By no means;—not served at all; there is a great want of arrangement; I think, for instance, there should be one way for coming in, and another for bringing out the grain.

734.
Mr. John Halliday.

11232. Do you think the weighing is satisfactorily done?—I think it is done honestly and fairly.

11233. Would you be in favour of having public markets established?—Most certainly.

11234. Would you be in favour of obliging all parties to buy and sell there?—Quite so.

11235. Do you conceive that a moderate charge for the support of such a market would be any restriction upon trade?—By no means; I think it would give great facility; I have, with much pleasure, attended the Belfast market, and was delighted to see the system there.

11236. Would you think it well to have the market not only commence but also close at a fixed hour?—Decidedly; we are often kept here until night.

11237. Would you have a person in every market empowered to arbitrate between buyer and seller in the event of a dispute?—There is nothing more wanting.

11238. You would not leave the matter altogether to be decided by the buyer?—Certainly not; there are grievances which occur here occasionally requiring a remedy; a man may sell you a few sacks of corn; you take his name down, and the number of sacks, and the price; and, afterwards, if another buyer comes to that man, he will sell the sacks over again for a farthing a stone more, if he can get it.

11239. You would have penalties recoverable, in a summary way, for frauds committed by either party?—Most certainly.

11240. Would you be in favour of an assimilation of weights and measures over the entire country?—There is nothing more desirable.

11241. Would you have all agricultural produce weighed standing beam, to the pound, and deduct nothing but the actual weight of the empty sack or firkin?—Decidedly.

11242. Would it not be desirable, to oblige the head officer in charge of each market to furnish proper statistical returns?—I think it would.

11243. Would you have all fairs removed out of the streets into properly enclosed fair-greens?—Certainly; for instance, here there is only one public street, and great danger has occurred from cattle being driven from one end of it to the other upon fair-days. I have seen a gentleman's leg broken here by a horse upon a fair-day.

11244. Do you think the farmers, generally, would object to pay a small charge upon entering the fair-green?—Now that tolls have been done away with, I think the farmers would not like to have to pay any thing. I think it would be very satisfactory to have some person overseeing the grain market, and let him see that grain should be delivered according to sample.

11245. Would it not be a good plan to make him the person to prosecute in any case of fraud?—Yes; still more desirable.

James Lurney examined.

735.
Mr. James Lurney.

11246. Where do you reside?—Within three miles of Enniskillen.

11247. Do you sell here?—I do. In selling fresh butter here, the buyers take eighteen ounces to the pound.

11248. Is that sold outside the market?—Yes; Lord Enniskillen and his staff have nothing to do with it.

11249. Why is it not taken to the public market?—It is sold at the upper end of the town.

11250. Is there any deduction made?—No.

11251. Then the buyers pay for every ounce?—No, only as if they were getting but sixteen ounces to the pound.

Mr. *Edward Ennis* examined.

736.
Mr. Edward Ennis.

11252. Do you reside in Enniskillen?—I do.

11253. You are Chairman of the Town Commissioners?—I am.

11254. Have you any information to give us regarding the markets here?—Yes; the Town Commissioners claim the rights of tolls and customs.

11255. Do they conceive that Lord Enniskillen has no rights?—No rights whatever. We have documentary evidence here which will bear us out.

11256. How do you get over the fact of Lord Enniskillen having two patents?—On the 1st of May, 1618, we have reason to believe that the tolls were granted by Sir Wm. Cole to the provost and burgesses of this borough, at the rent of £7 10*s.*, and on a lease for ever; and we can prove by an old record, that that money was paid for a century or more.

11257. Then you only contend that the rights were transferred to the Corporation?—Yes; and that the Town Commissioners, as their successors, are the proprietors now. We have an old book of the Corporation, by which we can show that the money was paid, with the names of the ancestors of the present Lord Enniskillen, vouching for the accuracy of our statements.

11258. Has the payment of the £7 10*s.* rent been tendered lately?—It has not been demanded lately; but it was paid for a century and upwards, as we can show. The lease taken in 1826, from the late Lord Enniskillen, was a mistake upon the part of the Corporation, and done in ignorance of their rights. The market-house is now the property of the Commissioners; they had to go to law with the Earl of Enniskillen in Dublin, and they recovered it. We have the accounts of the Corporation, audited upon the 24th of June, 1814, and a credit taken for £83 5*s.* 6*d.*, for taking out a patent for the new fairs, and the Corporation paid the money.

ENNISKILLEN, *27th January*, 1853.

737.

Mr. Robert Clegg.

Mr. *Robert Clegg* examined.

11259. Where do you reside?—In Enniskillen.

11260. What is your office?—I am clerk to the Town Commissioners.

11261. Did you hold any office under the old Corporation?—I did; from the year 1831, to the latter end of 1840, as collector of tolls and customs.

11262. Is the former town clerk dead?—He is.

11263. By whom were you appointed?—By the Corporation. There were proposals put in, and the person who proposed could not fulfil the contract, and the Corporation then appointed me.

11264. Did they want to let the tolls and customs?—Yes.

11265. Who had let them for years before?—The Corporation. They did not approve of the proposal for the letting of them, and therefore, they appointed me to collect them, and I collected them until the Corporation broke up in 1840.

11266. With whom did you settle your accounts?—With the provost.

11267. Was there ever any claim made for the profits of the tolls and customs by Lord Enniskillen?—No, I always settled with the Corporation.

11268. Did you ever state to Mr. Echlin, that you had paid the money over to Mr. Maguire, the agent of Lord Enniskillen?—I never recollect saying any thing of the kind.

11269. Did you ever pay it to him?—Never; he might be in the room at the time.

11270. To whom did you pay it?—I always laid it down before the provost and the burgesses, or gave it to Mr. Robert Thompson, the agent and treasurer of the Corporation.

11271. To whom did you pay it after September 1835?—During the time Thompson was alive, I settled with him, and took his receipt; and after his death I went into the room and settled the account there, and the receipt was signed by the provost and one of the burgesses.

11272. Had you any other Corporation accounts?—Yes; I became agent for other Corporation property, after Mr. Thompson's death.

11273. Were the tolls and customs kept in the same account?—No; quite separately.

11274. You never accounted for the tolls to any of Lord Enniskillen's agents?—Never.

11275. You never took Mr. Maguire's receipt alone?—Never, unless it was signed also by the provost and by Mr. Maguire as a burgess.

11276. By whom was the potato, flax, and corn markets built?—By the Corporation.

11277. How do you know?—Because I lent £200 myself to the Corporation, and got their bond for it towards the building of the market house.

11278. What year was that?—Between 1836 and 1838.

11279. Who paid you the interest?—It was always deducted from the amount of the tolls and customs, and I handed in the balance.

11280. Did not Mr. Ball also lend money to the Corporation, for which he got their bond?—He did.

11281. Did you pay him the interest out of the tolls and customs?—I did.

11282. What sum was expended by the Corporation upon the building of the market?—About £1,200.

11283. Did you since give up your bond?—I did. Captain Williams, agent to Lord Enniskillen, paid me for it, and I gave it up to him.

11284. Out of what was the balance of the £1,200 paid?—Out of the funds of the Corporation.

11285. Did Lord Enniskillen take possession of the market?—He did.

11286. Did he get possession of it by merely paying what was due?—Exactly.

11287. Was your bond paid before the Corporation went out?—No; not until after they went out.

11288. Were they in receipt of the tolls until their dissolution?—They were.

11289. Was the meat market the property of the Corporation?—It was; I took the rents from the butchers for it.

11290. Were the Corporation in receipt of that rent up to the time of their dissolution?—They were.

11291. What became of the market afterwards?—It was ejected for non-payment of rent.

11292. What was the rent?—£21 a-year.

11293. In whom did the property rest after the dissolution of the Corporation?—In the Board of Guardians.

11294. Who was then chairman of the Board of Guardians?—Lord Enniskillen; and he had the ejectment served upon himself as chairman.

11295. What was its profit at the time it was Corporation property?—I think over £400 a-year.

11296. Did the Board of Guardians allow that property for a year's rent of £21 to be ejected?—They did.

11297. Had they funds at the time?—They had funds.

11298. Who was solicitor to the Board of Guardians at the time?—Mr. Chittick.

11299. Who was Lord Enniskillen's private solicitor?—Mr. Chittick.

11300. What has become of the shambles now?—They are turned into stables. The ground is let for £20 a-year.

11301. Was there a linen market here?—There was.

11302. And tenements?—Yes.

11303. Did the Corporation ever let the tolls and customs?—They did. On the 8th May, 1746, there is an entry of the Corporation applying the customs to the building of a steeple on the market-house.

ENNISKILLEN,
27th January, 1853.

738.
Guy Blakeney.

Guy Blakeney examined.

11304. Do you reside in Enniskillen?—I do.

11305. Are you a farmer?—I am.

11306. Do you consider the market here well conducted?—I do.

11307. Do you ever pay barrowmen?—I do, sometimes; and I think they could be dispensed with, but we would not be conveniently attended to if we did not pay them.

11308. Would you object to pay a reasonable charge for a public market?—I would have no objection at all.

11309. Would you be in favour of one uniform system of weighing all over the country?—Certainly.

11310. Would you have the farmer paid for every pound of his produce, and all deductions abolished?—I would; I have no objection to weighing with seven pounds weight, for I would not lose seven pounds perhaps in six or seven sacks.

11311. Do you weigh at home?—I have scales, but I never weigh until I come to the market.

11312. Which would you prefer having your corn weighed to the seven pounds or to one pound?—Of course I would prefer having it weighed to one pound, but I would allow the buyer to get his right.

11313. Do you object to five pounds beamage out of a firkin of butter?—I object to that more than in corn; but it does not make much difference, if the buyer did not get it he would not give the price.

11314. Does it not make a difference as regards valuations, which are all founded upon prices?—It may in that way.

11315. Do they deduct eleven pounds here for a pig?—Only four pounds in this market.

BALLINAMORE, JANUARY 28, 1853.

BALLINAMORE,
28th January, 1853.

739.
G. L'Estrange, esq.

George L'Estrange, esq., examined.

11316. Are you agent for the proprietor of Ballinamore?—I assist my father, who is agent.

11317. Who is the proprietor?—Mrs. Jones.

11318. Is Mrs. Jones the owner of the fairs and markets?—She is.

11319. By what authority does she hold them?—By a patent, the date of which I cannot give you at present, but I have no doubt I can get you a copy of it.

11320. Is she the representative of the original patentee?—She is.

11321. Does Mrs. Jones reside here?—No, in Kent.

11322. What are the market-days?—Tuesday in every week.

11323. What are the fair-days?—The first Tuesday after the 12th of February, the 12th of May, the first Tuesday after the 12th of August, and the 12th of November.

11324. Are these the fairs mentioned in the patent?—I believe so.

11325. Have any additional fairs been established?—Never, that I am aware of.

11326. Is there a market held on any other day but Tuesday?—No.

11327. Was the property always in the Jones family?—No; it was by purchase from Lawrence Parsons. It has been in the family from 1666.

11328. Are tolls paid in the market?—Mrs. Jones does not levy any.

11329. Did she ever levy them?—She did.

11330. When did she cease collecting them?—Four years ago; I think in 1848.

11331. Were they in her own hands?—No; she rented them to a person named James M'Loghlin. There was no market-house here for a long time, but every thing was sold about the streets, which was a great nuisance and detriment to the public; and after frequent representations, she resolved, at a sacrifice and expense to herself of over £1,000, to erect a market-house for the benefit of herself and the public; she was also advised that the best way to accommodate the people, and improve the town and neighbourhood, was to abolish tolls altogether, and merely make a moderate charge for cranage fees. She issued a proclamation to that effect, and intimated to the former tenant, Mr. M'Loghlin, that she was willing to give up any claim for rent which she had upon him, and which then amounted to nearly £100.

11332. Was there a written agreement held by Mr. M'Loghlin?—I never saw any; but I believe his grandfather was the person originally appointed.

11333. Did he pay a regular rent?—Yes; £50, Irish. At the time of which I speak, there was upwards of a year's rent due, and when Mrs. Jones informed Mr. M'Loghlin of her intention to abandon the tolls, and that he ceased to be her tenant, she gave up the rent due as a sort of compensation to him. I understand now that tolls are still levied, notwithstanding that notice, by Mr. M'Loghlin himself.

11334. Does he pay Mrs. Jones any rent?—None whatever.

11335. Does he levy tolls on his own account?—He does.

11336. Without any authority from her?—Without any authority; quite the reverse, in fact.

11337. Do the people pay willingly after notice had been posted that Mrs. Jones would not require tolls any longer?—I believe the people cannot get their cattle out of the fairs unless they pay. The market-house built by Mrs. Jones, I may say, is not used at all.

11338. Are there also tolls at the markets?—There are.

11339. Levied by Mr. M'Loghlin?—Yes.

BALLINAMORE, 28th January, 1853.

739.

G. L'Estrange, esq.

11340. Where are the markets held?—In the middle of the streets.

11341. Is there a schedule of the charges made by Mrs. Jones for weighing posted up in the markets?—There is. I may mention, that when Mrs. Jones found that Mr. M'Loghlin continued, in contempt of her, to levy tolls, she thought herself fairly entitled to all rent due up to that time; and there was a law-suit about it tried at the assizes, and Mr. M'Loghlin had to pay.

11342. Was there a lease produced on the trial?—No; he was proved to be a yearly tenant by the payment of rent.

11343. Where are the fairs held?—In a fair-green.

11344. Are tolls levied there?—There are.

11345. By Mr. M'Loghlin?—Yes.

11346. To whom does the ground belong?—To Mrs. Jones.

11347. She levies no tolls?—None whatever.

11348. Is there a schedule of the charges for weighing posted up in the market-square?—There is.

11349. Can you state what these charges are?—Oats, per sack, 2*d.*; Oatmeal, per hundred-weight, 1*d.*; potatoes, per load, 2*d.*; butter, per tub, 2*d.*; open butter under eight pounds, ½*d.*, under sixteen pounds, 1*d.*, over sixteen pounds, up to twenty pounds, 1½*d.*, over twenty pounds, 2*d.*; wool and flax, ½*d.* a stone. On the weigh-bridge—coals, 4*d.* a load; hay and straw, 3*d.* a load. The board states, that all tolls and customs are to be discontinued by order of Mrs. Jones.

11350. Has a weighmaster been appointed by Mrs. Jones?—Yes.

11351. Was he regularly sworn under the 4th Anne, c. 14?—No; merely appointed by Mrs. Jones.

11352. Is there a pig market here?—Yes; an enclosed square for pigs; also the property of Mrs. Jones.

11353. Is there much weighing done in your market?—No; very little.

11354. When was the new market opened?—I think, in 1848.

11355. Did the notices posted by Mrs. Jones state, that after a certain day tolls and customs would be abolished—They did.

11356. Why do the people not make use of Mrs. Jones' market, when there are no tolls charged there?—It must be some party business altogether—I cannot understand it myself otherwise. Mrs. Jones wished to explain her views upon the subject to the inhabitants of Ballinamore, and she printed this letter, which I sent round to the respectable houses in the town, and read the paper in the presence of most of the inhabitants, and they all seemed to agree and feel very much as I did upon the question. The people addressed a memorial to her, to which the letter was a reply:—

Gentlemen,—I have received the memorial which you entrusted to Mr. L'Estrange for delivery to me. In the memorial you state that your hopes of the revival of your trade and improvement of your town have been disappointed, "in consequence, it is said, of some misunderstanding between Mrs. Jones and Mr. James M'Loghlin, weighmaster and possessor of the tolls and customs of this town;" and you seem to intimate that the blame of that misunderstanding rests upon me. I am anxious to relieve myself from this very unjust imputation, and I gladly take this opportunity to present to you a correct statement of the facts (of which you appear to be ignorant) which have taken place between me and Mr. M'Loghlin. Upon a fair consideration of that statement, I am confident impartial judges will not conclude that I have impeded the revival of the trade or the improvement of your town. It was my most anxious desire when I became the landlady of the Leitrim Estate to improve the whole estate, and especially the towns of Ballinamore. The first steps towards that improvement I did believe to be the abolition of the market tolls of that town, and the erection of a market-house within its precincts.

When I was informed of the mode of collecting these tolls, the condition of the persons by whom they were paid, and the injurious effects of such a collection upon the market of Ballinamore, I resolved to abolish the tolls. When I came to this resolution, Mr. M'Loghlin was weighmaster, and also the lessee of the tolls, at a rent of £50 a year, payable to me. I did not hesitate to sacrifice this annual payment, and I caused Mr. M'Loghlin to be informed that I had abandoned my right to the tolls, that he was to desist from the collection of them in future: and further, as I was most unwilling that he should suffer in any degree, that I released and gave up to him all arrears of rent due by him to me as lessee of the tolls, which arrears then amounted to £75. I did expect that a proposal so advantageous to the public and to Mr. M'Loghlin, would have been readily acceded to, that he would have desisted from the collection of the tolls, and the people would have gladly declined to pay them; but I found I was mistaken, Mr. M'Loghlin continued to collect the tolls and the people to pay them.

This conduct of Mr. M'Loghlin compelled me most reluctantly to take legal proceedings against him; after much litigation I obtained decrees against him, yet I was willing to give up the sums decreed to me, provided Mr. M'Loghlin would undertake to acquiesce in my resolution, that the market tolls should be abolished, and to desist from the collection of them. To these reasonable and moderate terms Mr. M'Loghlin would not assent, and again I was compelled to have recourse to the law, and insist upon the payment of the sums decreed to me.

I have now related the course pursued by myself and Mr. M'Loghlin in respect to the abolition of the market tolls of Ballinamore, and I proceed to the erection of the market-house in that town. Those in whom I had confidence advised me, that I should confer a

BALLINAMORE. 28th January, 1853.

739. G. L'Estrange, esq.

great public benefit if I would erect at my own expense, a commodious market-house in Ballinamore. Corn, butter, and flax, the produce of the surrounding country, are the articles principally sold in the markets of Ballinamore. The corn has hitherto been conveyed to the town by land carriage, and at the cost of much labour. The sale of the corn, butter, and flax was represented to me as taking place in the open street, and generally at a very late hour of the day. The seller was therefore at the mercy of the buyer—if he declined to take the price offered, he must, with much labour, and in the dark night, remove his corn, &c., &c., to his own home, or else leave it in some insecure place, exposed to all the inclemency of the weather. Convinced of the truth of the above facts, and believing it was my duty to relieve the people attending the markets at Ballinamore from such serious inconveniences, I resolved, though it was most inconvenient, to expend a large sum upon a market-house. I obtained a good place, I gave a convenient site, and I expended on the building and fittings a sum exceeding £900.

When the establishment was completed, I caused a scale of charges, for the use of it, to be prepared. This scale was formed on the model of those adopted in private market houses in the North of Ireland. It was calculated that the total produce of the market house (if used), according to the proposed scale, would afford a bare equivalent for the interest of the money expended upon it, the annual repairs, and the wages of the persons employed in it. I did not speculate on any advantage to myself, except what might arise from the general improvement of the town and neighbourhood of Ballinamore.

The market-house was complete in every respect in the month of May, in the year 1848. It held out these advantages to the poor man. If he brought grain, butter, or flax to the market, he might take it at once to the market-house, have it weighed there, and then placed in safety under cover, there to remain during that day, and until the next market day; he thereby became subject to a charge for weighing, and to that charge alone. If he could not sell on the first market day, he was at liberty to leave his grain, &c., &c., until the next market day; but if he left it beyond that day he was in that event only required to pay storage for it. Advantages such as these, I had hoped would have been duly appreciated and gladly accepted; but the market-house, with all its accommodation, has remained up to this present hour, comparatively speaking, unused. Situated as I am, I cannot pretend to discover or state the causes which have led to this extraordinary result. All my efforts to improve the town of Ballinamore have been baffled; yet thus discouraged, I have not abstained from further efforts, and I have accordingly contributed to the preliminary expenses of the Navigation and Drainage Works, which have given to the town, water carriage and a convenient landing quay. I have now arrived at the concluding paragraph of your memorial, which appears to me to state the real object of those who signed it, viz:—"That I 'should authorize some one' to come and finally to settle the matter misunderstood as between me and Mr. M'Loghlin."

I can assure you there is no misunderstanding on my part, and the above statement clearly shows that there is not. Mr. M'Loghlin has no authority from me to act as weighmaster, he has no authority to collect the tolls and customs of the town. I have abolished them, and I caused a printed notice to that effect to be posted generally in the town and neighbourhood of it. I am very unwilling to believe that it is utterly impossible for me to render any service to the town and neighbourhood of Ballinamore; but until the obstacles which hitherto have existed, and still do exist, shall have been removed, I feel that I am powerless, and that any attempt to gratify my own inclinations would be useless.

I am, Gentlemen, faithfully yours,

(Signed), CATHERINE P. JONES.

Hagle Place, Maidstone, March 19, 1851.

11357. Do things remain in the same state at present?—They do; in fact, I believe there is less weighed in the market-house now than there was then.

740. Mr. Jas. M'Loghlin.

Mr. *James M'Loghlin* examined.

11358. Do you reside in Ballinamore?—I do.

11359. Were you lessee of the tolls?—I rented them from year to year. Mrs. Jones admits that I was the lessee and weighmaster.

11360. By whom were you appointed weighmaster?—By the late Colonel Jones.

11361. Have you a written appointment?—Yes; and I was regularly sworn in.

11362. Under the 4th Anne, c. 14?—Yes.

11363. In what year?—I think about sixteen or seventeen years ago.

11364. You also rented the tolls?—Yes; at £50 a-year, Irish. My grandfather occupied the place in 1770, my father succeeded him, and I succeeded my father. I believe my father was in possession about 50 years.

11365. Did you make any fresh contract?—Never.

11366. You always recognized Mrs. Jones as proprietor of the fairs and markets?—Yes; and paid her rent.

11367. What are your charges?—The same as that toll-board—it was from my toll-board that was taken.

11368 Do you not charge toll on grain?—No; there was a 1*d.* a hundred-weight on meal, and I gave it up, I think, in the year 1848. If meal was weighed we then charged 1*d.* more, but I gave up the toll.

11369. What do you charge for potatoes?—1*d.* and sometimes 1½*d.* a load.

BALLINAMORE, 28th January, 1853.

740.

Mr. Jas. M'Loghlin.

11370. Is that for weighing?—Yes; there was no toll upon any thing except cattle and meal.

11371. Do you charge for butter and pork?—Yes; for standings in the streets.

11372. Have you a toll-board up?—I have.

11373. What do you charge for standings?—One penny for some, 2*d.* for others.

11374. Is there a charge on cattle?—Only when they are sold.

11375. When you were served with a notice by Mrs. Jones to abandon the tolls, did you abandon them?—I was never served with a notice.

11376. Were you served with a notice that your rent would not be demanded from you?—Never.

11377. Than what is stated to that effect is untrue?—The greater part of it is. There was no information given to me except the notices posted through the town.

11378. Were you never spoken to or written to by Mr. L'Estrange, or by any one on his behalf?—Never.

11379. Have you schedules of your charges posted up?—Yes; one at each gap, on market and fair days

11380. What are your charges?—Milch cows, 6*d.* each; dry cows, 4*d.*; three year old heifers, 4*d.*; two year old, 3*d.*; one year old, 2*d.* Horses, 6*d.* each; pigs, 3*d.*; sucking pigs, 1*d.*; sheep, 2*d.*; lambs, 1*d.*; car loads, 10*d.*; back loads, 4*d.*; tents, 1*s.* each.

11381. If cattle come in on a market day, do you make any charge?—No cattle come in on a market day. We charge 2*d.* for pigs; 1*d.* for sheep; and ½*d.* for lambs.

11382. Is it only in consequence of your not being served with a notice that you levy tolls?—No.

11383. What authority have you?—I have authority.

11384. Would you state what it is?—I am in possession, and until I am put out I will remain in possession.

11385. You still continue to levy tolls?—I do.

11386. Do you claim to be the tenant of the tolls?—I do.

11387. Are you paying rent for them?—No.

11388. Is it because it was not demanded?—No. I conceive I am not bound to pay rent when they have interfered with me, and deprived me of the means of paying it.

11389. How?—By taking away the tolls for which people were liable.

11390. Was it not to Mrs. Jones they were liable?—No; to me.

11391. Were not the tolls of the town hers?—She is the owner, being the representative of the patentee, but the tolls are due to me as tenant.

11392. If she chooses to give them up, do you conceive you have a right to levy them?—I am informed that I have.

11393. Do the people pay willingly?—They do.

11394. Have any parties refused?—No.

11395. Has no person ever refused?—Not for the last ten or fifteen years.

11396. If a person refused, what would you do?—Put the law in force—fine the party 10*s.*

11397. Under what statute?—I do not know the statute. I do not recollect.

11398. Can you fine parties?—I can summon them before a magistrate.

11399. Did you ever summon a party?—I did.

11400. What was the decision?—The decision of the magistrates was that he could be fined 10*s.*

11401. Was there a full bench?—There were two magistrates, Mr. Ferrier and Mr. Lawe. That was before the other place was built.

11402. If any person came in and refused to pay now, would you take the same proceedings?—I would; but they never refuse.

11403. If a person refused, would you distrain?—I would.

11404. Then do you consider that Mrs. Jones has no power to put an end to the agreement that is between you and her?—Yes, that is my statement.

11405. And that she has no power to make the country a present of these tolls, but that you are at liberty to exact them as long as you please?—No; I do not say that.

11406. How long will you keep them?—I cannot state.

11407. And the people pay you willingly?—They do.

11408. Although Mrs. Jones has given a fair-green free?—Yes.

11409. You never have to resort to any violence to collect the toll?—No; nothing of the kind.

11410. Do you only levy upon cattle sold?—Yes, when they are leaving the fair.

11411. How do you ascertain that they are sold?—The owners tell me.

11412. If they say they are not sold?—Then I let them go.

11413. Do you put them through any form?—No, that was done long ago, but not now.

11414. Have you a board and collectors at each gap?—I have.

11415. Is much toll evaded?—I think not.

11416. Is there any document between you and Mrs. Jones?—I believe there is.

11417. If a party went to Mrs. Jones' market, would you collect any thing?—No; I never interfere with them. In regard to the rent, Mrs. Jones got a decree against me for half a year's rent, which became due after the notices were published, and I got that decree reversed. The decree was given for all rent up to the posting of the notices, but the decree for the rent afterwards was reversed by the judge.

11418. Was it in consequence of your having shown that you suffered a loss by the posting of the notices?—It was.

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740. Mr. Jas. M'Loghlin.

11419. How do you account for parties going to your crane, with bad accommodation, when they can get good accommodation in the other market?—It is out of regard for me; I have been weighing for them twenty-two years, or longer, and they get fair play there.

11420. How many beams and scales have you?—Three.

11421. In the public thoroughfare?—One of them is on the side of the street, and the other two are upon the green.

11422. You weigh grain, potatoes, butter, oatmeal, and flax?—Yes.

11423. Any dead pork?—No.

11424. Would you charge toll upon cattle on a market day?—No.

11425. What is your system of weighing corn?—Down weight, to the seven pounds.

11426. If the scale would not touch the ground, would you then throw out seven pounds?—Yes.

11427. What would bring the scale from standing beam to down weight?—With a draught of three hundred-weight, it would take three pounds or four pounds. If it were only one pound light, I would not throw it out.

11428. Are you aware that that system is contrary to law, and that corn should be weighed standing beam?—That is the way of doing business in every market.

11429. Do you deduct any beamage?—No.

11430. What do you deduct for the empty sack?—Seven pounds, independent of the weight; but I think it generally weighs about that much.

11431. What do you charge?—One penny for eight stone, and up to fifteen or sixteen stone; and from that 1½*d.*, up to twenty-four stone; and from that 2*d.*

11432. Do you charge any more than 2*d.*?—No.

11433. Have you a board posted up showing your charges?—I have.

11434. Is your system of weighing all kinds of grain the same?—It is.

11435. How do you weigh potatoes?—If they are weighed in baskets we weigh to the pound.

11436. How do you weigh oatmeal?—We weigh it more nice than oats, to the pound, with a cast of the beam only, and just deduct what the sacks weigh.

11437. How do you weigh potatoes in sacks?—To the seven pounds.

11438. How do you weigh butter?—In firkins and tubs.

11439. Is there a large butter market here?—No, indeed.

11440. Do the buyers themselves qualify?—They do.

11441. Do you make any charge if parties do not weigh butter?—Certainly not.

11442. What is your system of weighing butter?—Down weight, to the pound, in firkins, and in open butter to the half pound, and half a pound will bring the scale down; three pounds deduction is made upon every firkin.

11443. If a cask weighed three quarters gross, and the tare was twelve pounds, what weight would you call it?—Sixty-nine pounds.

11444. Do buyers pay for more than seventy pounds?—They do not.

11445. Do you always deduct the tare branded?—Yes, unless the firkin is stripped.

11446. If you stripped a firkin, and it weighed what was tared upon it, what would you deduct?—Nothing more.

11447. Does the buyer make any charge?—He charges 4*d.* along with 2*d.* to me.

11448. What is that for?—Cooperage and storage.

11449. Do all parties weigh with you?—They do this year.

11450. If a buyer weighs at his own house, does he charge 6*d.* all the same?—No buyer weighs at his own house.

11451. Is the butter bought by the hundred-weight or by the firkin?—By the firkin of seventy pounds.

11452. Is any thing under seventy pounds deducted?—It is.

11453. Do you weigh the butter out?—I do.

11454. Have you a book?—No.

11455. How do you weigh flax?—There is hardly any flax sold here, and any that is sold the buyers weigh themselves. I believe it is bought by the pound.

11456. How do you weigh wool?—There is no wool brought to this market.

11457. Is the market increasing or falling off?—It has been falling off for the last four or five years.

11458. Do you attribute that to the difference between Mrs. Jones and you?—It helped to injure the market.

11459. Do you think the market would improve if Mrs. Jones let you into it?—I think so.

11460. Do you give tickets to parties weighing?—I do, in my own handwriting, and enter the buyer's and seller's names, and the gross weight, but not the price.

11461. If a man lost his ticket could you give him a duplicate?—I could not.

11462. Who attend the three scales?—I attend myself, and another man.

11463. Can he write?—He can. I weigh all the cask butter, oats, and meal.

11464. Have you scalemen?—I have.

11465. Have you barrowmen?—They come from different neighbourhoods; I do not employ them.

11466. Has the farmer to put his corn into and out of the scales?—Yes.

741. Mr. John Creamer.

Mr. *John Creamer* examined.

11467. What is your occupation?—I am bailiff to Mrs. Jones, and caretaker of her market.

11468. Is that market used?—Very little.

11469. Why is it not used?—I think people are delicate in going into that market

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on account of M'Loghlin, and I think a great many of them would be afraid to go there.

741. Mr. John Creamer.

11470. What would they be afraid of?—I do not know.

11471. Is there any feeling against the new market?—Not a bit; they wish to help M'Loghlin.

11472. Have you a farm?—I have.

11473. Do you sell butter?—I do; at Enniskillen.

11474. Do you sell cattle at the fairs here?—Very little, about two years ago, not lately.

11475. Did you pay toll?—No; the man who buys pays. I bought calves the last fair day, and I put them into a house until morning to avoid the toll.

11476. Did you ever pay the toll?—I do not think I did within the last four years. I believe I paid 2*d.* upon a couple of pigs once, sooner than be fighting, and have my pigs stopped; but I would not pay it now if they were stopped.

11477. Do you think the weighing is satisfactorily done at M'Loughlin's crane?—I have often heard that the open butter is not properly weighed there, and that the country people do not get justice.

11478. Had you any opportunity of testing it?—No.

11479. Did you ever send butter of your own to be sold there?—I did; I would not get it bought at any other place.

11480. Did you ever hear any complaints regarding the weighing of corn, potatoes, or meal there?—No.

11481. Why would not the buyers go to any other place?—I do not know, some of them are afraid to go.

11482. Do you weigh much on the weigh-bridge?—We weigh all that comes in, for M'Loghlin has no weigh-bridge.

11483. How many beams and scales have you?—Three.

11484. Was butter ever weighed there?—It was; but it went away three years ago, since the election.

11485. Was there ever a representation made to you that you did not weigh fairly?—Never.

11486. Can you prove that it was not want of accommodation which caused the buyers to leave your market?—I can.

742. Mr. John Owens.

Mr. *John Owens* examined.

11487. Are you a farmer?—I am.

11488. Do you think the markets here are in a satisfactory state?—I do not; I think they are in a very awkward position for the public.

11489. Is there proper accommodation in the new market?—Yes, very good.

11490. Then why do not the public make use of it?—I do not wish to interfere in the matter.

743. Robert Parker.

Mr. *Robert Parker* examined.

11491. Where do you reside?—In this town.

11492. What is your occupation?—I am a shopkeeper. I beg to say that there was a memorial got up here, signed by the principal inhabitants, and sent to Mrs. Jones, to have a proper arrangement come to between her, and Mr. M'Loghlin, for the people here felt the inconvenience which the public suffered by the disagreement. An answer came back, and we never heard any thing further of it until Mr. L'Estrange came to town. I never saw a copy of it until two or three months after. The next thing we saw was a flagellating we got in the *Dublin Evening Mail*, calling us a set of ragamuffins for daring to express our opinion.

11493. Was it for expressing your opinion, or for not availing yourselves of the accommodation offered?—It was partly that. Mr. M'Loghlin's father was weighmaster before him, and Mr. M'Loghlin succeeded him, and gave general satisfaction to the country; and, as soon as the market-house was established here, Mr. L'Estrange sent a young man from Cavan to conduct it; and it was felt that where there was a man fit to conduct it, it was very hard not to give him a trial, in place of giving the office to a stranger. That young man did not attend to the business, but left a little boy to take charge of it, and even when he was there he was not capable of weighing. Then they put him away, and put in Mr. Creamer. I have seen butter weigh two pounds more in Mr. M'Loghlin's scale than in the market scale. As to the fairs, I think a moderate custom would do great service. I would repeatedly have lost my cattle if it were not for the custom-gaps.

11494. If custom be levied, should not a well-enclosed fair-green be provided?—Yes; it should.

11495. Would you be in favour of having enclosed, well-regulated, public markets established?—Yes; provided there were men of experience at the head of them.

11496. If there was a man of experience put into the new market here would you go there?—I would. The market is spacious and commodious; but there was no care taken, and I have seen firkins of butter frequently torn by dogs there.

11497. If a qualified person were sent there to-morrow, do you think the market would be used?—I think if a good man had been sent, and had conducted himself properly, he would have got as much business as Mr. M'Loghlin.

11498. Do you think there would be any use in sending a competent person there now?—Well, I think now it is passed. I understand the same thing was tried in Carrick-on-

Shannon, and the landlord was very persevering; but they had to come to some agreement in the end.

BALLINAMORE, 28th January, 1853.

743.

Robert Parker.

11499. You say you have seen butter torn by dogs in the market?—Yes; I have seen seven or eight pounds of butter torn out of the side of a firkin by dogs. We think some agreement ought to be come to by Mrs. Jones, and not have things going on as they are at present. It is not for us to get ourselves into a law-suit with Mr. M'Loghlin, by refusing to pay the tolls.

Belturbet, January 29, 1853.

BELTURBET, 29th January, 1853.

744.

Mr. Samuel Knipe.

Mr. *Samuel Knipe* examined.

11500. Do you reside in Belturbet?—I do.

11501. Are you solicitor to the Town Commissioners?—I am.

11502. Under what patent or charter were the fairs and markets here established?—Under a charter, dated 30th March, 1646, the 11th year of the reign of James I., to the Corporation of Belturbet.

11503. What does that charter grant?—One market on every Thursday, and a fair upon the 1st of June, old style, the fair to continue for the following day, unless it fell upon Saturday or Sunday, in which case it was to begin on the following Monday, and continue the next day, with a court of *pie poudre*, and all tolls, customs, and privileges belonging to the market and court.

11504. Does it grant any appointment?—No; I think not.

11505. Is there any other charter or deed?—There is a patent from James I., making Sir Stephen Butler to be the first portreve of the borough; and a grant from Sir Stephen Butler, who was lord of the soil, of a market on Saturday, and two yearly fairs, one upon the Wednesday before the first Wednesday in Lent, commonly called Ash Wednesday, and the other upon the feast of St. Bartholomew.

11506. Is there any other charter or patent?—Yes; there is a patent, dated the 17th of May, in the 13th year of the reign of George III., granting to the Corporation of Belturbet two additional fairs, one on the 21st of May, and the other on the 21st of July.

11507. Are the Town Commissioners now, as successors to the old Corporation, the proprietors of the fairs and markets?—I should say so.

11508. Were the old Corporation the sole proprietors?—They were.

11509. What are the market-days?—There is a general market upon every Thursday, and also a market on Saturday.

11510. What are the fair-days?—There are monthly fairs established upon the first Thursday in every month, except those months in which occur Ash Wednesday and the 4th of September.

11511. That is, you have twelve fairs in the year?—Yes; twelve fairs in the year.

11512. Was there any patent obtained for holding the additional fairs?—Not that I know of.

11513. They are held by general consent?—Yes.

11514. Are tolls paid in the markets now?—No.

11515. Were they formerly paid?—Yes; but they were abandoned. Stallage, within my own memory, was abandoned by the present Corporation, I think, shortly after their appointment.

11516. Was it in consequence of toll riots?—There was some dissatisfaction, I believe; and it was thought that it would be more for the advantage of the market to let all parties come in and expose their goods.

11517. In what year was that?—I think in 1841 or 1842.

11518. Were any tolls collected since?—Nothing, except cranage fees.

11519. What market accommodation is here belonging to the Town Commissioners?—There is a market-house, with two beams and scales.

11520. Is there an enclosed market-place?—No; there is a separate place in the town for the sale of every commodity here, regulated by authority.

11521. But all upon the highway?—Yes.

11522. Is grain brought into the market for sale, or does it only come there to be weighed?—Only to be weighed; it is all sold upon the streets. Previous to the Commissioners being appointed, every thing was sold in a straggling kind of way; but now all persons having standings to expose their goods must bring them to the place appointed by the regulation of the Commissioners.

11523. What is weighed here?—Meal, potatoes, flax, and butter.

11524. Is the butter market enclosed?—It is, with sheds and scales erected.

11525. Is it sufficiently large?—It is, to sell all the butter exposed here, or coming to the market.

11526. How many beams and scales are there?—One large beam and scales, and three or four small scales for roll butter.

11527. Is there a fair-green here?—Yes; a very good fair-green.

11528. Is it enclosed?—It is not, but it is a regular green, set apart for the purpose, although there is a road through it which leads into the town.

11529. What is its extent?—About three acres.

11530. Do the Town Commissioners appoint a weighmaster?—No; they advertise the scales, and let the cranage fees by the year latterly, but sometimes by the month. They receive proposals, and the person who is approved of gives security.

BELTURBET. 29th January, 1853. 744. Mr. Samuel Knipe.

11531. Do they lay down a scale of charges to be demanded by him?—Yes; I believe there is a regular scale of charges. I beg to say that I have just heard now, for the first time, that articles are charged which do not weigh.

11532. Is the weighing of agricultural produce confined to the market?—No; but a very small portion is weighed in the crane.

11533. What do the Commissioners receive for the cranage fees?—I think £54.

11534. How is that money disposed of?—It goes to the general fund, and is expended in paying the officers, cleansing the town, and keeping night-watchmen.

11535. Is it appropriated for market purposes?—The building of the butter market cost a considerable sum, and there is rent to be paid, which that money goes to meet.

11536. Does it cover the market expenses?—I think it ought to do so.

11537. Are the Commissioners making money of the transaction?—No, they are rather in debt for the building of that house.

11538. Does the person to whom the tolls are let act as weighmaster?—He does.

11539. Is there a written agreement between him and the Commissioners?—Not except the proposal sent in and accepted.

11540. Would there be any possibility of obtaining a return of the quantity sold and and the average price here for a year?—I think no officer belonging to the Town Commissioners can have any means of furnishing it.

11541. In fact it would be utterly impossible to obtain any correct returns here?—It would.

11542. Would it not be very desirable to have a proper, well-regulated market, where all agricultural produce should be sold?—Indeed it would, and the Commissioners have been trying to obtain it for a long time. First they applied to the Lord Lieutenant for power to make bye laws to regulate the markets, and the law adviser of the Castle gave it as his opinion that we had no such power. We were not satisfied, however, and we took the opinion of Mr. Napier on the subject, which was also to the effect that we had not the power. Some time ago we also got an opinion from Mr. Napier about compelling parties to expose their goods for sale in the public markets, and I think the opinion was favourable; but the Commissioners did not wish to compel Mr. Dixon, a large distiller here, to buy grain in the market, and not compelling him they could not compel others. I think a public market would serve both sellers and buyers, and would be a guarantee to all parties. It is not long ago since we had a most scandalous instance in this town of a flax-buyer taking a bundle of flax which a poor girl had brought to the market, and which she had weighed at home, and he weighed it by holding up ounsels, such as fish is generally weighed in, and he refused to allow her the weight she claimed. He put it into a sack, from which she could not get it. She called upon the police to interfere, and the flax was taken out and found to weigh two and a-half pounds over the sixteen and a-half pounds that he stated, and half a pound more than she claimed.

11543. Did you ever hear of frauds practised in the weighing of corn?—There are complaints, of course, and constant complaints regarding butter. There is a system here of taking seven pounds off the bag of corn or meal; even if you have only one bag, containing a few stone, the same as for a whole sack

11544. Would you be in favour of having the markets commence at a certain hour?—Yes, that would be a very important matter, for there is a great deal of forestalling in this town. That was one of the intentions of the Town Commissioners to have carried out. That is another system greatly complained of here—persons bringing in potatoes for sale are regularly forestalled, so that those who want them in the town have no opportunity of buying them at the really marketable value. There is a very objectionable system, too, as regards the buying of butter. The butter sellers coming in here are met coming into the different parts of the town by street agents or sky-farmers, who open the baskets that the poor men have, and in many instances snatch the butter out of them, and mark a certain price on it, and then when the poor man is brought to the store or shop, he will, perhaps, get ½*d.* less, besides, of course, getting bad weight.

11545. Would you be in favour of an assimilation of weights and measures, all over the country?—Most certainly, one uniform system; there is no system whatever at present.

11546. Would you have all agricultural produce weighed to the pound, standing beam, and abolish all deductions?—I think so. I think also, in buying grain, the empty sacks ought to be always weighed.

11547. Have the magistrates ever found any inconvenience by the limit to their jurisdiction contained in the £5 clause?—They have.

11548. Would it not be much better to have the limit of £5, instead of the value of the whole article, the value of the amount in dispute?—Decidedly, much better.

11549. Have you a dead pork market here?—No.

11550. Would you approve of having all sales of cattle removed out of the streets into properly enclosed fair-greens, where a very small charge should be paid for every thing entering?—I think it would be very good. There is danger attending the sale of horses here in the streets on Ash Wednesday.

11551. Do you think the farmers generally would object to make use of a proper market and pay a small charge?—I think the habits of the people are so fixed that they would rather go on in the old way. I think they would rather sell the horses in the streets.

11552. But we are speaking of markets?—I think they would not object to go there.

11553. Could you get a site for a large market here?—Yes, the fair-green could be divided, for it is too large at present.

Mr. *John Falls* examined.

BELTURBET, 29*th January*, 1853.

745.

Mr. John Falls.

11554. What is your occupation?—I rent the tolls here.

11555. Do you perform the duties of weighmaster?—I do.

11556. Have you a regular appointment as weighmaster?—No; but the tolls are let to me.

11557. What do you pay?—Fifty-two pounds for eleven months; one month was passed before I got the place.

11558. What are your charges?—Oats, under ten stone, 1*d.*; up to twenty stone, 1½*d.*; over twenty stone, 2*d.* That is the charge for grain of all kinds. Potatoes, 1*d.* a hundred-weight; if the sack weigh four hundred-weight there is no greater charge than 2*d.*

11559. Have you no charge less than 1*d.* for potatoes?—Yes, ½*d.* for half a hundred-weight. Butter, 2*d.* a firkin, independent of weight; lump butter, of which I get very little, ½*d.* up to seven pounds; 1*d.* up to fourteen pounds; 1½*d.* up to twenty pounds, and 2*d.* from that up; no higher charge. Flax, ½*d.* a stone; meal, 1*d.* a hundred-weight.

11560. What is your system of weighing corn?—Down weight, to seven pounds.

11561. Must it take the seven pounds to the ground?—It must; but I am not very particular. I only require it just to touch, and in all cases I do not require even that. If a man had only one sack he might lose the seven pounds, but when he has several sacks I give and take.

11562. What would bring your scale from standing beam to down weight?—About two ounces would do it.

11563. What do you deduct for the empty sack?—Seven pounds. There was a sack here for which only seven pounds were taken off, and it weighed thirteen pounds.

11564. Did you ever know any less than seven pounds?—Yes, I did.

11565. Does the seven pounds lie in the scale?—No; I weigh gross, and the buyer takes it off.

11566. Do you keep a book?—No.

11567. Do you give a ticket?—I do.

11568. What do you mention in it?—The buyer's name, the date, and the weight of each draught.

11569. Do you keep a copy?—No.

11570. If a man came to you for a copy of the ticket next morning you could not give it to him?—I could not; it would be his loss.

11571. How do you weigh meal?—Standing beam; generally people who have small scales rent a stall to retail the meal. We weigh to the pound, standing beam, or just a cast of the beam.

11572. What deduction?—I make no deduction.

11573. Do you know what is taken off for the bags?—I believe half a stone. Many of those who sell meal are parties who buy oats in the market, take it away and get it ground, and then bring it back.

11574. What do you think is the average weight of the sacks weighed by you?—Less than seven pounds; I should say between five or six pounds.

11575. What is your system of weighing butter?—It is bought by the firkin of seventy pounds, and nothing over that is paid for. It is weighed down weight, to the pound, and five pounds deducted for waste.

11576. What do you deduct for tare?—There is a cooper appointed by the Town Commissioners to examine the firkins, and if they appear heavier than they are branded, the deduction is made according to the decision of the cooper; but if the seller is not satisfied with the decision of the cooper the firkin is then stripped and the actual tare deducted.

11577. Does your cooper ever have to decrease the weight?—No; whenever he makes a change it is to increase it.

11578. Do you weigh the firkins out?—No; when they come to seventy pounds we say they are full weight.

11579. If the firkin weighs less than seventy pounds?—The difference will be deducted from him.

11580. The tare lies in the scales?—Yes.

11581. And the five pounds?—Yes.

11582. What charge does the buyer make?—He charges 6*d.* a firkin for what is called storage, but there is a market here for their accommodation.

11583. Do you give them storage?—I do.

11584. Then the farmer pays 8*d.* on each firkin?—Yes, 6*d.* to the buyer and 2*d.* to me.

11585. Did you ever take more than five pounds beamage off a firkin?—The first or second market after I got the crane, I went according to the old crane-master who had been before me, and I think six pounds were taken off. When I inquired into the system I was told that what I had been doing was wrong, and I did not do it since to my knowledge.

11586. Do the buyers make any charge for storage in corn?—No.

11587. Do you employ porters?—No.

11588. The farmer has to pay them?—He has.

11589. How are the porters paid?—Perhaps they may get 1*d.* a sack, or only ½*d.*

11590. What is your system of weighing flax?—We weigh to the pound, with just a turn of the beam, and a quarter of a pound to the stone, or two pounds to the hundred-weight, tare, which the merchant deducts. I deduct nothing. It is bought by the stone of sixteen pounds, or 120 pounds to the hundred-weight.

BELTURBET, 29th January, 1853.

745. Mr. John Falls.

11591. Does the merchant make any charge for porterage or storage?—Not to my knowledge; I never heard of his making any.

11592. How do you weigh potatoes?—The same system as corn exactly; they are brought here in creels very often, and then we weigh the empty creel, and deduct the actual weight; but if they are in sacks we allow seven pounds a sack.

11593. Have you ever heard of frauds practised in weighing at private stores?—Yes, I think there are many frauds practised regarding open butter. A respectable farmer, whom I know, brought up to the market-house a basket of butter, which weighed thirteen pounds and a half, and he desired me to give him a note of it. I did so, and knew nothing of his having sold the butter before, until he got the note, when he said that he had sold it at a place in town, and was paid only eleven pounds. He then went down to the buyer with the note and the butter, and said he would require him to pay for that weight The buyer would not do so. He came back to me and I told him to go to the town serjeant, and the town serjeant told the buyer he must go before a magistrate, and sooner than do that the buyer paid the full amount. There is not a market-day in which I do not hear instances of the same kind.

11594. Have you ever heard of frauds in weighing grain?—I have seen grain emptied out and the bottom of the sack not equal to the top, but I cannot say that I have known any frauds in weighing.

11595. Is there much confusion arising from the diversity of weights here?—Indeed there is, especially in flax.

11596. Do you make any of your charges whether persons weigh the articles or not?—I did in one case, last Thursday, where a man sold four sacks of potatoes in the market and did not weigh them, and he said, sooner than take the potatoes off the cart he would pay for them, although he did not weigh. The person who bought them took them upon his word.

11597. Does your system, generally, give satisfaction to the farmers?—I think it does.

11598. Have you heard many complaints?—I have heard some, but not many.

11599. Is there much butter sold here?—Very little open butter; a great deal of firkin butter.

11600. How do you account for persons not coming to sell with you?—The buyers do not come into the market, and just at the other side of the wall they are paying £6 or £7 for a house, while we have stores in the market for nothing, and they will not come in. The Commissioners have several times endeavoured to induce them, but they would not come.

11601. What is the beamage upon open butter?—One pound to the score.

11602. Do you pay any expenses in the market but the rent?—Nothing but the rent.

11603. Would you be in favour of having every thing sold and weighed in the public market?—Of course; and even if I were not crane-master I think it would be better for the country, and better for both the buyer and the seller.

746. Mr. Thomas Clarke.

Mr. *Thomas Clarke* examined.

11604. Do you reside in Belturbet?—I do.

11605. What is your occupation?—I am Clerk to the Town Commissioners; I only wish to mention, lest it cause some difference, that there must be seventy-five pounds beyond the tare in every firkin. You might be under the impression that five pounds beamage were taken off the seventy pounds, but there must be seventy-five pounds.

11606. Have you known many frauds in weighing?—Only by rumour; but I believe there are such practices going on.

747. Mr. Thomas Palmer.

Mr. *Thomas Palmer* examined.

11607. Do you reside in Belturbet?—I do.

11608. Do you buy corn?—I do.

11609. Do you buy in the market?—Yes.

11610. Not in your own store?—No; I used to do so, but I gave it up.

11611. Do you consider the market well conducted?—I think pretty well.

11612. Do you think the accommodation sufficient?—I do.

11613. Would you be in favour of having every thing sold and weighed in a public market?—Decidedly.

11614. Do you conceive it would be any restriction on trade?—By no means; I conceive it would be a great benefit.

11615. Would you have the business conducted by sworn weighmasters?—Decidedly, it would be an improvement upon our present system.

11616. Would you have the market commence at a certain hour?—I would.

11617. Would you have the officer at the head of the market empowered to arbitrate in cases of dispute between buyer and seller?—Certainly.

11618. Are you in favour of an assimilation of weights and measures?—Most decidedly; an uniform system everywhere.

11619. Would you have all agricultural produce weighed to the pound, and abolish all deductions?—It would be the fairest system. The merchant might, however, be wronged in this way. He cannot be at the place where the sacks are weighed, and a dishonest farmer may bring him all different sacks, which would be heavier.

11620. Let them be weighed again at the merchants' stores.—That would make it secure, certainly.

BELTURBET, 29th January, 1853.

747. Mr. Thomas Palmer.

11621. Would you be in favour of obliging the officers at the head of the market to furnish proper statistical accounts to the Government and the country?—It would be highly useful, and could be very easily done.

11622. Would you have penalties for frauds committed by either party, recoverable in a summary way before the magistrates?—Most certainly.

11623. Would you have all butter weighed and inspected before sale by a competent butter inspector?—I think that ought to be done, decidedly. As to the butter market, I may inform you, that a most respectable man, who had stopped in the public market for a long time, had to leave it, in his own defence, and take a house outside. The other buyers would not let any butter come into him, and he had to go out.

748. Mr. David Griffith.

Mr. *David Griffith* examined.

11624. Do you sell in this town?—I do.

11625. Do you think the market arrangements well carried out?—Partly.

11626. Would you be in favour of a public market?—Decidedly.

11627. Do you conceive it would be a hardship to be obliged to sell and weigh there?—Certainly not, quite the reverse; and I would willingly pay a small charge to defray all the expenses of the market; but I would not pay for lighting or cleansing the town.

11628. Would you have the market commence and close at a certain hour?—I would.

11629. Would you have an assimilation of weights and measures all over the country?—Certainly.

11630. Would you have the farmer paid for every pound of his produce?—Undoubtedly.

11631. And have the firkins branded by a sworn weighmaster before sale, on tops, sides, and bottoms?—Yes; and I would be in favour of also having the weight marked on the empty sack; and if any man brought in a sack of extra weight, have him fined or punished.

11632. But on a wet day the sack would weigh more than on a fine day?—That is certainly true.

11633. Would you have all fairs removed out of the streets?—I would; but they are very well situated here.

11634. Would you object, where there was no fair-green before, to pay a small charge for one, if provided?—Certainly not; I would rather pay a small charge; but the charge is generally too much. For instance, in the neighbourhood of Ballinamore the charge is 6*d.* or 8*d.*

749. Mr. Thomas Smith.

Mr. *Thomas Smith* examined.

11635. Are you a farmer?—I am.

11636. Do you generally concur in the opinions of the former witnesses?—I do; but I wish to remark that I would prefer weighing according to the decimal system, if it were general throughout the country; for it would be by far the easiest. I also wish to mention a specimen of the frauds committed in the butter market: curiosity made me get a firkin weighed before it was filled, and it weighed exactly, standing beam, ten pounds three quarters; the cooper had it branded thirteen pounds. I sent it to the market to Mr. Falls, and there was one pound more taken off for tare.

11637. You would not object to buy in a well-regulated market?—Certainly not; and I believe Mr. Dixon, who buys more grain than all the other buyers here, would willingly come into such a market.

CAVAN, 31st January, 1853.

750. Abraham Brush, esq.

Cavan, January 31, 1853.

Abraham Brush, esq., examined.

11638. Do you reside here?—I do.

11639. Are you a magistrate for the county?—Yes.

11640. And agent to Lord Farnham?—Yes.

11641. Can you give us any information as to the patent or authority under which the fairs and markets are held in this town?—Only on hearsay, from knowing that Lord Farnham claims a right to the markets and fairs.

11642. He is the reputed proprietor?—I do not know any thing about his title, but I believe he holds under patent, and he pays quit-rent every half-year for the market of Cavan. I always understood that the former Corporation of Cavan claimed part of the markets. I have heard from old people that they did get a certain toll upon things coming into the market.

11643. Does Lord Farnham collect any tolls now?—No.

11644. What market accommodation has he provided?—He has given a market-house which was formerly the old court-house; and, when the new court-house was built, it was sold to Lord Farnham, who converted it to the purpose of a market. That is the only place in the town where a market could be held.

11645. Are there any tolls or customs charged at either the fairs or markets?—None, that I know of.

11646. I suppose there are cranage fees?—Yes.

11647. Are they in Lord Farnham's own hands?—No; he rents them to Mr. Johnston, who pays him for the market-house £50 a-year, and keeps the receipts.

11648. Where are the fairs held?—On a hill over the town.

11649. Is the fair-green the property of Lord Farnham?—Not at all.

11650. Whose property is it?—I do not know whose property it is—I believe it is everybody's.

CAVAN, 31st January, 1853.

750. Abraham Brush, esq.

11651. Is it enclosed?—No; it is an open space; the only enclosure is the fences of the ground adjoining it.

11652. What extent of land is there?—About four acres.

11653. Do you conceive the market accommodation of Cavan is sufficient?—I would not say it is quite sufficient, for, latterly, the market has increased very much.

11654. Does not the sale of agricultural produce all take place in the public streets?—It does; corn is sometimes sold in the market-house, and sometimes outside.

11655. If corn were sold inside the market-house, and taken away without being weighed, should it pay?—It should, for storage.

11656. Is there a dead pork market here?—No.

11657. Where is butter sold?—In the market-house.

11658. What are the market-days?—Monday, for grain; and Tuesday, the general market. They sell every thing all through the week; but these are the regular market-days.

11659. Is there a charge made for standings in the streets?—Not that I know of.

11660. Has Lord Farnham laid down the scales of charges to be made by Mr. Johnston?—No, I do not think he has.

11661. Does Mr. Johnston charge any thing he thinks fit?—I am not aware, but I am satisfied that he is a man who would not do any thing which was not proper; and Lord Farnham, in that respect, has every confidence in his propriety and fair dealing.

11662. Do the market arrangements, generally, give satisfaction?—I should think so; I never heard any thing to the contrary. The only thing which ever came before me was in regard to the selling of butter in small quantities, two or three pounds, and the mode of buying it, which creates some difficulties. The buyers take the butter, and mark it down in their own books; and sometimes they pretend they did not put it down. I had one or two cases brought before me in which a man denied having got butter from a poor woman, who positively stated that he did get it.

11663. Can you state when the tolls were abandoned here?—There was a great outcry against tolls in Ireland, and I think they were done away with, generally, then.

11664. When Lord Farnham collected them were they in his own hands?—I think he rented them; but I only speak from hearsay.

11665. Was there any market accommodation when he was levying tolls?—I cannot say. There are two houses adjoining the market-house now, which, I believe, if thrown down, would greatly increase the accommodation; and the only thing which prevents Lord Farnham from doing this is, that it would put out the tenants. It is very likely, however, that it will be done.

11666. What are the fair-days?—There are six fairs: on the 1st of February, 14th May, 30th June, 14th August, 25th September, and 12th November.

11667. Were these fairs established by patent?—I cannot say. The old fairs were September and November, which are held still, only changed from old style to new; and the other fairs were added. There were also two fairs, upon Easter Monday and the 22nd of December, but they were given up. I wish to remark that an attempt was made to set up a triangle at one time, for weighing, at the top of Bridge-street, about four years ago, but it was removed in about a fortnight, when remonstrated against.

11668. Is all the agricultural produce sold in Cavan weighed in the market-house?—I think so.

11669. Is any weighed at the private stores?—I think not.

751. Mr. John Reilly.

Mr. *John Reilly* examined.

11670. Where do you reside?—In Cavan.

11671. What is your occupation?—I am deputy-cranemaster, employed by Mr. Johnston, who rents the cranage fees from Lord Farnham.

11672. Have you a board stating your charges posted?—No, not for the last twenty years.

11673. How are the public to know what they should pay?—From attending the markets.

11674. Suppose they do not attend?—I do not know then.

11675. When tolls were collected, was there a painted board posted?—There was for the tolls, but not for the cranage fees.

11676. What are your charges?—Corn, 1*d.*, under thirteen stone; up to twenty stone, 1½*d.*; up to thirty-four stone, 2*d.*; and over that, 3*d.* Butter, 2*d.* a firkin; open butter, under eight pounds, ½*d.*; under fifteen pounds, 1*d.*; under twenty pounds, 1½*d.*; under forty pounds, 2*d.*; over forty pounds, 3*d.* Meal, 1*d.* a hundred-weight. Flax, ½*d.* a stone, of sixteen pounds, which includes storage. On the weigh-bridge, 3*d.* a load for agricultural produce, and 4*d.* a load for coals, all independent of the weight.

11677. When was the charge of 3*d.* over thirty-four stone of oats made?—About five years ago. The country people had been in the habit of bringing in large draughts, to which it was thought that charge would be a preventive.

11678. Who established it?—The buyers and the former cranemaster.

11679. What had the buyers to do with it?—It affected them inasmuch as they could only take seven pounds off thirty-two or thirty-four stone.

11680. Did Lord Farnham consent to it?—He never was consulted with; nor was he ever consulted with on the change of the market to Monday; the Commissioners did it in opposition to the cranemaster.

CAVAN,
31st *January*, 1853.
751.
Mr. John Reilly.

11681. Do you weigh wool here?—Yes.
11682. What do you charge?—One shilling the pack.
11683. Is all the agricultural produce sold in the market weighed in your scales?—Yes, with the exception of flax in the season. Some buyers have come and put up private scales, and weighed there.
11684. What do you charge for weighing potatoes?—One penny for a horse-load, and 1½*d.* a sack. I make that charge in the market-square a separate thing from Mr. Johnston's crane.
11685. How long have you done so?—I suppose thirty years.
11686. Did you ever obtain leave from any one?—I cannot say I did. I do not know what leave my father obtained.
11687. Are any potatoes weighed inside the market?—No, they never have been.
11688. Do you act entirely for Mr. Johnston?—I do.
11689. Is he sworn as weighmaster?—He is not.
11690. Has he a regular appointment from Lord Farnham?—He has.
11691. Were you ever sworn?—Never.
11692. Suppose an article were sold in the market and not weighed, would you make any charge?—I never had an instance of the kind; but I would charge if it was sold inside the house.
11693. If it were sold outside on the square?—Then I would not interfere; but if flax were sold in the market-place I would expect to be paid.
11694. What is your system of weighing corn?—Down weight, to the seven pounds.
11695. What do you deduct for the empty sack?—Seven pounds.
11696. Will you require the sack to take the seven pounds to the ground?—That would depend upon what the sack appears to weigh. If a man brought a bag of oats which only wanted half a pound to make it weight, it would be very hard to take thirteen and a-half pounds for the weight of it. With sacks we weigh down weight.
11697. What would bring the scale from standing beam to down weight with a heavy draught?—Half a pound would do it.
11698. Is corn weighed before it is sold?—It is weighed before and after. We receive corn upon Saturday night for Monday's market.
11699. Do you give a ticket?—We do.
11700. Do you keep a copy?—No.
11701. Do you keep any register at all?—No; it is not necessary, because the crane-master and the corn buyers came to an understanding that they will not empty any oats before the crane note is lifted and handed to the man in the stores.
11702. Suppose a farmer's servant lost his ticket, and came to you for another?—I could not give him another; but when a man is sent with oats, and his employer requires it, I issue two crane notes.
11703. Could you furnish any statistical returns, as to the quantity sold in your market?—I could not; I could return the number of sacks sold, but not the weight.
11704. Is your system of weighing potatoes the same as corn?—Yes; down weight, to the seven pounds, and take off a stone for a creel, where it appears heavy; but if any objection is made, we empty the creel, and deduct the actual weight.
11705. Do you give a ticket?—Yes, if necessary; but the buyer and seller are generally present.
11706. What is your system of weighing butter?—To the pound generally, down weight; but if a tub of butter weighed six stone five pounds, and I considered that one ounce would make it weight, I would not throw off the pound; but if it required three ounces or four ounces, I would throw the pound out.
11707. What do you deduct from the firkin?—Seven pounds for beamage and soakage.
11708. Is that the custom of the market?—It is.
11709. Do you deduct the tare of the firkin?—Yes; what is branded on it; but I have seen a firkin stripped, which was branded twelve pounds, and it weighed twenty pounds.
11710. Is it bought by the hundred-weight or the firkin?—By the firkin of seventy pounds.
11711. If it exceeds seventy pounds, are the odd pounds paid for?—They are not.
11712. If it is under, are the odd pounds deducted?—They are.
11713. If there were seventy-five pounds net, would not the seller be paid for the five pounds?—In such a case, I would say to the buyer, "there are so many pounds over, and you had better come to an understanding with the man or he will take it out;" but if there were only one or two pounds over, I would not do so, for I have seen such robberies committed upon the buyers in super-tares. If a tub were stripped, and the over-tare taken off, we do not then deduct seven pounds; it is to cover the risk of super-tares that four pounds, of the seven pounds, are taken off for soakage.
11714. Then your beamage is only three pounds?—Yes; but then they are hardly ever stripped here; so I may say I always deduct seven pounds.
11715. Is there any charge made by the buyers for storage?—Yes; they charge 6*d.* a tub.
11716. Do not you give them storage for nothing?—Yes, if they require it.
11717. Has that charge been always the same?—It has.
11718. How is flax bought here?—By the stone of sixteen pounds, and two pounds allowed to the hundred-weight.
11719. Is it weighed down weight?—Nice weight—just the same as butter.
11720. How much is one hundred-weight?—One hundred and twelve pounds.

CAVAN, 31st *January*, 1853.

751. Mr. John Reilly.

11721. Is there any other deduction?—No.

11722. Do you deduct it?—We do.

11723. What does the buyer charge?—One penny a stone; he keeps the penny from the farmer, and pays me; but he only gives me at the rate of a third of every penny.

11724. Do you give the ticket net?—Yes, in all cases, except meal.

11725. How do you weigh meal?—To the pound, nice weight, the same as butter, and the empty sack is brought back, weighed, and the actual weight deducted.

11726. How do you weigh wool?—By the stone—just the same as flax—and the buyer and seller regulate the deductions.

11727. Do you give beams and scales to weigh flax?—Yes.

11728. Who superintends them?—In some cases the buyers themselves.

11729. Do you not think that a bad system?—Yes; I think it a gross humbug to allow them to do so; but they would not let us do it. There was a man who came to the Cavan market last year, and saw the way in which it was conducted, and he took a store, put up a beam and scales, and weighed his own flax. What was the consequence—the flax buyers said to us, "if you do not allow us to weigh our own flax we will go and take stores of our own, as that man did."

11730. Do you weigh every thing else except flax?—Yes; and the buyers never see it.

11731. Does the market begin at a regular hour?—The flax market begins at nine o'clock, and the corn market about twelve; there is no regular hour for the corn market.

11732. Do you keep porters in the market?—Yes.

11733. Do you pay them?—No; the farmers pay them.

11734. You give for your charges nothing but the weighing and the ticket?—And accommodation.

11735. What are the porters paid?—One penny a sack. We appoint proper men, who wear badges on their arms, and we will allow no others.

11736. Do you conceive the market accommodation sufficient?—No; but I think it would if there were an addition put to the market-house.

11737. Does the system of weighing generally give satisfaction?—I think so.

11738. Have you ever heard complaints of it?—I did not. There are farmers in the court, who can say if they are satisfied with the system, and have confidence in us.

11739. Have you a butter inspector?—We have not.

11740. Do you keep the scales in repair, and pay taxes?—Yes; Mr. Johnston does every thing.

11741. Are there many complaints of frauds regarding flax?—A good deal of complaints about short weight.

11742. Are there any complaints of farmers making up the bundles fraudulently?—I think not.

11743. Are there any complaints of parties buying flax, and then leaving it on the seller's hands in the evening?—No; but I have known parties sell flax a second time, when they got a higher price for it.

11744. Would it not be a good plan to have all agricultural produce weighed in the public market, to pay for every pound, and abolish all deductions?—Yes; I think it would be just and proper that the merchant should pay for every pound.

11745. Do you think all should be weighed by a sworn weighmaster in the public crane?—I do.

11746. Would you have an uniform system of weighing everywhere?—Yes; there should be a standard weight in all places.

11747. Do you think empty firkins should be branded before sale, by a sworn weighmaster, in the public market?—I do. The late cranemaster and I got an advertisement printed to that effect, and got branding-irons, and announced that we would brand free of expense, and no farmer ever came to have his firkin branded—not a solitary one. I know no article weighed in the public market, which requires some good system more than tub butter, for the present system is actual robbery. If a man puts in three pounds over weight, the buyer will not pay for them.

11748. Is not the system of deductions very bad?—I think so.

11749. Would you have the markets commence at a stated hour?—I think it would be a good plan.

11750. Would you have an inspector in every market, to arbitrate between buyer and seller, in case of disputes?—Certainly; in the absence of a Market Jury.

11751. Is it not hard to get a market jury to act?—It is, certainly, very hard.

11752. Is there much forestalling here?—Indeed there is.

11753. Did you ever hear of buyers cutting the price of corn in the evening, when there was a dull market?—I did not; respectable buyers would not be guilty of it; some of the jobbers, perhaps, might do it. I heard great complaints of certain parties cutting the prices last Monday, on the ground that the corn was not equal to sample.

752. Mr. Edward Smith.

Mr. *Edward Smith* examined.

11754. Do you reside in Cavan?—I do.

11755. Are you clerk to the Town Commissioners?—I am.

11756. Can you give us any information as to the patent for holding these markets?—The Town Commissioners consider themselves joint tenants of the fairs and markets. There is a patent of the 15th of November, in the eighth year of James I., 1610; granted to the Corporation, of whom the Town Commissioners are the representatives.

CAVAN, 31st *January*, 1853.

752. Mr. Edward Smith,

11757. How were the rights divided with Lord Farnham?—They pay equal quit-rent.

11758. By the patent it does not appear that the grant was made to any but the Corporation?—It grants to the sovereign and freemen of the Town of Cavan, the privilege of holding a free market on every Tuesday, and two fairs on the 14th of September, and next following day, and the feast of All Saints and next following day, at the annual rent of 10*s.*, with all courts of *pie-poudre*, and all other rights and privileges.

11759. By that charter it would appear that the Corporation are the sole proprietors?—Yes.

11760. It does not appear that the rights were divided with any one?—Lord Farnham and his ancestors have been, for a series of years, paying a portion of that rent, for some reason of which I am not aware.

11761. Does Lord Farnham exercise control over the fairs and markets?—He has nothing to do with the fairs, but he exercises control over the markets, and appoints the weighmaster.

11762. Do the Town Commissioners exercise any control over the fairs and markets?—No.

11763. Have they possession of the fair-green?—They have; it is considered their property.

11764. Did they succeed to any property in right of the Corporation?—Not yet; except the fair-green.

11765. Had the Corporation any property?—They had.

11766. What became of it?—It is in the hands of private individuals.

11767. How did it get there?—That I do not know.

11768. What extent of property?—Eight hundred acres.

11769. When were the Town Commissioners appointed?—In November, 1837. The only part of the Corporation property we have is the seal.

11770. Did the Commissioners ever submit a case to counsel?—They did, within the last year; but we do not consider that the case was fairly put.

11771. Do they conceive that the market is satisfactorily conducted?—They do; but they wish to get it into their own hands.

11772. Do they conceive the accommodation sufficient?—No; very insufficient.

Mr. *James M'Gauran* examined.

753. Mr. Jas. M'Gauran.

11773. Do you reside here?—I do.

11774. Are you a Town Commissioner?—I am. We think it was the intention to grant the charter to the people of the town of Cavan, for ever; and by some means it has been taken out of their hands, and is found in the hands of Lord Farnham. At the time he got the market-house, I know myself, that there were a great many persons in the town of Cavan who would have come forward and purchased it, but the late Lord Farnham pledged himself that he would give it as a market-house to the people, at a very low charge, to improve the town, and add to the trade. Now it has been improved indeed, but there is the full charge for every thing, and the inhabitants are obliged to tax themselves for the improvement of the town, and for cleansing and lighting, which the proceeds should have gone to.

11775. But if the Commissioners had the market here, they surely would not charge the farmers for the lighting and cleansing of the town?—I think they might.

11776. Why should the farmer pay toll for the cleansing of the town?—I think it a great accommodation to the farmer when he comes in, to have the streets clean.

11777. Would you be in favour of a well regulated public market, where all produce should be sold and weighed, under sworn weighmasters?—Most certainly.

11778. Would it not be well to have the markets vested in a certain number of the Town Commissioners, and a certain number of the highest cesspayers, so as to represent all classes?—Exactly.

11779. You would not have the charge more than sufficient to support the market and pay interest upon the expenditure?—Nothing more.

11780. Would you be in favour of an assimilation of weights and measures all over the country?—There is nothing more necessary.

11781. Would you have the markets commence at a fixed hour by ring of bell?—Certainly.

11782. Would you have a person at the head of each market empowered to arbitrate in the event of dispute between the buyers and sellers?—Surely.

11783. Would you have the farmer paid for every pound of his produce, and let the buyer regulate his price accordingly?—Exactly. At present there is an inducement to the buyers to give more than the actual value of an article by getting something over the actual weight. It would be better to bring all these things to a regular level at once.

11784. You would assure the merchant that he got the corn properly made up, and have frauds punishable in a summary manner?—Decidedly.

11785. Would you be in favour of removing all the fairs out of the streets into properly enclosed fair-greens?—It would be much better to do so.

11786. Do you think the farmers, generally, would object to pay a small charge for a good standing?—I think there is no farmer in Cavan would object.

11787. Would you have a place set apart for each different kind of cattle?—I would.

11788. You would not allow the buyers in the market to weigh for themselves?—Not in any instance.

CAVAN.
31*st January*, 1853.

Mr. *Noble Paget* examined.

754.
Mr. Noble Paget.

11789. Do you reside in Cavan?—I do. I think it right to state, in consequence of the remarks made in reference to the market-house, lest it may appear that Lord Farnham has any profit by it, that the late Lord Farnham purchased it, although on his own premises, and that it was let by him and by the present Lord Farnham at a very low rent, for the purpose of affording accommodation to the town and market; and that, instead of receiving a benefit by it, he suffers a loss. I have heard that £700 was paid for it, but there are persons here who were present at the sale, and say it was only £120.

755.
Mr. James Fay.

Mr. *James Fay* examined.

11790. Where do you reside?—In Cavan.

11791. Do you think the market here well regulated?—I think it is; but I would like to have all produce sold and weighed in the public market, and have an uniform system of weighing everywhere, for which I think the decimal system would be much the best.

11792. You do not conceive a public market would be any restriction upon trade?—Not if there were proper accommodation provided. There is not accommodation here at present sufficient for the purposes of the market.

11793. Would you have all produce weighed by sworn weighmasters?—Certainly.

11794. Would you have all produce weighed to the pound, pay the farmer for every pound, and let the buyer regulate his price accordingly?—Yes; pay to the last shilling—the last penny.

11795. And punish the farmer if his corn was not properly made up?—Yes; any thing wrong upon either side I would punish, and let fair dealing be the motto.

11796. Would it not be desirable to have the person at the head of the market obliged to keep proper statistical accounts?—Certainly it would; and I should like to have the market open at a proper hour, and close at a proper hour.

11797. Would you be in favour of removing all fairs out of the streets into enclosed fair-greens?—I would.

11798. Would you object to pay a small charge for a good standing?—Not at all.

11799. Do you think the farmers, generally, would object?—If the charge were very small they would not. The fair-green here is very convenient.

COOTEHILL,
1*st February*, 1853.

Cootehill, February 1, 1853.

756.
Mr. Patrick Horan.

Mr. *Patrick Horan* examined.

11800. Where do you reside?—In Cootehill.

11801. What is your occupation with regard to the market?—I am weighmaster, and lessee of the tolls and customs.

11802. To whom does the market belong?—To the son of the late Mr. Richard Coote, a minor.

11803. Under what patent or authority are the markets and fairs held in this town?—Under a patent dated the 11th year of the reign of George I., 3rd July, 1735, granting to the Hon. Thomas Coote, a market on every Friday, and four fairs, with all tolls, customs, privileges, immunities, and courts of *pie poudre;* the old fairs have been now abolished, and we have twelve in the year,—one upon the second Friday in every month.

11804. What were the fair-days mentioned in the patent?—The 1st and 2nd of March, the 28th and 29th of May, 1st and 2nd of September, and 25th and 26th of November; unless when any of these days should fall upon Sunday, the fair then to be held upon the following Monday and Tuesday.

11805. Is the market now held on Friday?—There is a general market on Friday, and an oat market on Saturday.

11806. Was the oat market established by patent?—I think not, only by custom.

11807. Was there ever a patent obtained for the monthly fairs?—I am not aware of any.

11808. Are tolls paid in the market?—No; they were formerly, but not in my time; I do not think there were any tolls levied here for twenty years.

11809. Why were they abandoned?—I should say in consequence of opposition; they became obnoxious to the people here.

11810. Are there enclosed market-places here?—I am not aware of any, except the butter yard.

11811. What markets have you?—First, a market-house for oats, oatmeal, potatoes, hay, and straw, with an open space in front, with two large beams and scales; second, a butter market, which I established myself, enclosed, and with sheds, and frequently from eight to ten beams and scales; the market was in the streets until I removed it there.

11812. When were you appointed?—On the 17th October, 1843.

11813. As weighmaster of the town of Cootehill?—Yes.

11814. Were you sworn?—I was.

11815. Have you a regular appointment?—Yes; by deed.

11816. Have you got a set of standard weights?—I have.

11817. In addition to being weighmaster here, have you also got a lease?—Yes; of the market-house and stores, and the tolls and customs.

11818. At the time the lease was made had the tolls been abandoned?—They had.

11819. Then, I suppose, it is a mere lease of the cranage fees?—It is, but I would have

a right to the tolls if they were to be levied again; I pay £24 a-year for them; under that lease all Mr. Coote's rights are distinctly conveyed to me.

11820. Is the fair-green also leased?—No; I have nothing to do with the fair-green.

11821. What is the date of your deed?—Twenty-sixth of January, 1847; the lease was not perfected for some time subsequently.

11822. Do you still pay the rent?—I do.

11823. Is your butter-market built on the land?—Yes; on the premises mentioned in the lease.

11824. What is the tenure of the lease?—One hundred and forty years, from the death of the late Charles Coote, November, 1842.

11825. Have you levied tolls at fairs or markets?—I have not.

11826. Is there a fair-green?—There is a fair-green for cattle, Mr. Coote's property, which is not made over to me; but the rights of the fairs are made over to me.

11827. Is that fair-green enclosed?—No; a road runs through it; only cows and black cattle are sold there.

11828. Is the sale of agricultural produce confined to the market-place?—It generally is, at least of oats and potatoes; during the last two years I have got up a weigh-bridge there.

11829. Is butter all sold in the market?—It was, for about two years; now it is sold in the streets; the butter buyers had free stalls from me, and the public seemed perfectly satisfied with it; but after about two years, the buyers thought they could do better, and they removed from the market, and took houses in town, for which they paid £10 or £14 a-year, where they weigh the butter themselves, for the public, with their own beams and scales, and, I believe, charge the same as I had been in the habit of charging, in my capacity of weighmaster.

11830. Why did they leave the market?—That I cannot say.

11831. Was there ever any complaint made of you as weighmaster, or of your system of weighing in the market?—Never.

11832. Did the buyers make any excuse for leaving you?—None.

11833. Was the place sufficiently large?—Quite so.

11834. Is all other produce weighed in the market scales?—No; flax is sold in the streets, and weighed at the stores.

11835. What are your charges?—Two pence on every sack of corn over twenty stone, under that, 1½*d.*, down to twelve stone, and under that 1*d.*; there is no higher charge than 2*d.*

11836. Do you make any charge if persons do not weigh?—Not at all; persons very frequently bring their produce into the yard, sell it there, and take it away to private stores, and we charge nothing.

11837. What do you charge for butter?—Two pence a firkin; lump butter, five pounds, ½*d.*, up to ten pounds, 1*d.*, up to fifteen pounds, 1½*d.*, and over that 2*d.*; potatoes just the same as grain; flax does not come into the market, unless when a dispute arises, when the parties may bring it down to me to be decided; we have no charge for it.

11838. Have you a printed scale of charges?—No; there never was in my time.

11839. Do you keep a book?—No.

11840. Do you give a ticket?—Yes; a printed ticket.

11841. Who receives the money?—Another person and myself.

11842. Does the other man merely put the money in his pocket and hand it to you?—Yes.

11843. Is that man near you; under your own control?—In the same house.

11844. Could he charge more than was right?—No; if I found he did so he should never do it again, but I never knew an instance of the kind.

11845. Do you keep porters?—No; there are barrowmen who bring the grain from the carts to the market-house, and, I believe, they get 1*d.* a sack from the farmers; I got down a number of badges from Dublin, with the words "Cootehill crane," but the men so much increased that I gave it up; there are more barrowmen than ought to be, and we have frequently to get the police to keep them in order; I must put an end to the system, for it will not do; I will get badges, and make a selection of the men.

11846. What is your system of weighing corn?—Down weight, to the seven pounds.

11847. If the scale does not go to the ground do you throw out seven pounds?—We do.

11848. Then the farmer may lose any thing short of seven pounds?—No doubt.

11849. What will bring the scales to down weight, with a heavy draught?—Perhaps about one pound.

11850. What do you deduct for the empty sack?—Fourteen pounds for a sack over twenty stone, and seven pounds for a bag under that; we take it off in the scales, and give the ticket net.

11851. Then he might lose any thing short of twenty-one pounds on a sack?—He might.

11852. Did you ever know one and a-half stone deducted for tare?—I saw it done upon a very wet day; I think it was only fair; and it was a very rare case.

11853. Why not tare the sack and deduct the actual weight?—That is what ought to be done.

11854. What does the farmer pay the barrowmen?—One penny a sack.

11855. Suppose he was willing to do his own work, could he get a barrow?—No; they would not give him a barrow, but let him carry in the corn and we would weigh it for him;

COOTEHILL, 1st *February*, 1853.

and if I saw him coming with a bag on his back, I would make way for him; I have no barrows at all myself.

756. Mr. Patrick Horan.

11856. Would it not be much better to charge something moderate and employ men yourself?—Well, I do not know; there are a great many honest poor creatures who support large families in that way.

11857. What is your system of weighing potatoes?—The very same as grain; we deduct fourteen pounds on a sack of potatoes, and seven pounds on a bag.

11858. Do you ever deduct half a stone?—Never.

11859. What is your system of weighing firkin butter?—Five pounds allowed for beamage, down weight, to the pound, and we deduct the tare of the cask. It is bought by the pound; what is called full weight is seventy pounds, and if the firkin contained seventy-three pounds, the seller will only be paid for seventy pounds, and if it contains less than the full amount, the buyer always deducts it.

11860. If a firkin is branded twelve pounds, you deduct seventeen pounds?—Exactly; five pounds for beamage.

11861. Do you weigh the firkins out?—We do not.

11862. Does the farmer lose by not being paid for over seventy pounds?—I am certain he does.

11863. Is there any charge in addition to your 2*d.*?—Yes, the buyer stops 1*s.* a firkin from the farmers.

11864. What is that for?—I do not know what they call it.

11865. Does the buyer pay your 2*d.* out of that?—No, the farmer pays it.

11866. What deductions do you make on lump butter?—One pound to the score, and we weigh to the half pound, down weight.

11867. Does the merchant make any charge?—I think not, unless when he weighs it himself; we weigh very little lump butter.

11868. Have you any pork?—No.

11869. Do you keep a copy of the ticket?—No.

11870. You could not prepare any statistical return of the average quantity sold, and the prices in the market?—Not at present; the twentieth part of the butter is not sold in my market.

11871. Is wheat sold here?—No, oats is the only article of grain.

11872. Do you weigh wool?—None at all.

11873. Have you ever heard of frauds practised in weighing in the private stores?—There is a great deal of talk about it.

11874. Is there any inspection of weights and measures here?—There is an inspector, but I may say there is no inspection.

11875. Have any parties ever come to you to check their weights, considering themselves defrauded?—Parties have got oats weighed with me, and sold them, and then came back and told me they were short; and when I found that my weighing was right, I always took care that the sellers were paid. I have heard complaints of half a stone being taken off, and sometimes a stone on two or three sacks.

11876. Have you ever proceeded against parties buying or selling out of the market?—I have, but I did not follow it up.

11877. If all the produce were obliged by law to be sold and weighed in the market, would you provide any amount of accommodation?—No matter what the expense, I would consider it my bounden duty, having a valuable lease, to do so, and to have competent persons, and be accountable to the public for their acts as well as my own; I would keep my books in a proper state and hold myself responsible for every thing.

11878. Have you found any inconvenience arise in the market from the diversity of weights and measures?—I have; and I think one uniform system would be very necessary.

11879. Do you begin here at a regular hour?—Generally about eleven o'clock; we have a bell, which is sometimes rung.

11880. You have no fixed hour strictly adhered to?—No.

11881. Would it not be the fairest system to have all produce weighed to the pound, and every pound paid for, except the actual tare of the empty bag or firkin?—Not a doubt in the world of it, and it should be all weighed standing beam, of course.

11882. Would it not be very desirable to oblige persons in charge of markets to furnish proper statistical returns?—I think it would, and there would be no difficulty in it when the books were properly kept; but there is no use in getting into these matters unless it is first made compulsory for every man to go to the public market.

11883. Have you ever known frauds in the branding of firkins?—I cannot say I have heard any charges of that kind.

11884. Is your fair-green commodious?—It is very large.

11885. Is there no charge made?—None whatever.

11886. What do the markets produce?—Latterly, not more than £150 a-year, gross receipts, and out of that I have to pay all expenses, rent, repairs, taxes, and I must keep a clerk, a man at each scale, and myself on Saturdays.

757. Mr. Thomas Graham.

Mr. *Thomas Graham* examined.

11887. Where do you reside?—About two miles from Cootehill.

11888. Are you a farmer?—I am.

11889. Do you sell in this market?—Yes; corn, butter, and flax.

11890. Do you sell butter in the public market?—No; in private stores.

COOTEHILL, 1st *February*, 1858.

757. Mr. Thomas Graham.

11891. Why do you go to the stores?—Because the merchants are there. I would go to the public market if I could sell there.

11892. What are you charged on each firkin?—One shilling and a penny for storage and house; if we go to the market and pay 2*d.* there, and then go to the store, the 1*s.* 1*d.* is charged still; but if we go to the store first the one charge covers all.

11893. Is the system of weighing the same as in the public market?—Yes, just the same.

11894. What do you generally lose upon a firkin?—I never fill a firkin; I always keep under the mark, sixty-eight pounds or sixty-nine pounds is my weight.

11895. Do you know of many frauds in the weighing of butter?—Not many frauds, except those extraordinary charges; I have repeatedly heard complaints, but I never met a case myself.

11896. Was it for the purpose of giving the farmers fair play in weights that the buyers left the public market?—I do not think it was; I think they had another reason for it, but they allege that they have more facility at present; I do not believe that is the reason.

11897. Is the weighing fairly conducted in the public market?—I think it is.

11898. Had you ever cause to complain?—Never.

11899. Would you prefer selling in a proper, well-arranged public market, than in private stores?—Most certainly.

11900. How is flax bought here?—By the stone of sixteen and a quarter pounds; it is generally made up in bundles, and two pounds are taken off to the hundred-weight.

11901. Is it weighed down weight, to the ground?—It is; sometimes you will not be let in at all, and the seller will not see his flax weighed. It goes in at the door and we are told what it weighs. Then that sixteen and a quarter pounds deceives a great many farmers who do not understand the calculation.

11902. What does the merchant charge for weighing?—Nothing for weighing; but he charges 1*d.* a stone for storage. I never could make my flax agree with what I was paid for. I always allowed full sixteen and a quarter pounds, but still the weights would never agree, and I always lost.

11903. Did you ever get more?—Never, nor near so much.

11904. Would you be in favour of having a proper, well-arranged public market, with a sworn weighmaster and inspector, and oblige all agricultural produce to be sold and weighed there at a reasonable charge?—Most certainly.

11905. Would you have one uniform system of weighing over the whole country?—Yes; that would be my principal object, particularly in flax, for when many farmers go with their flax they do not understand the weights at all. It is just the same way with butter. I would like to have every thing weighed by the hundred-weight of 112 pounds.

11906. Would you have the farmer paid for every pound of his produce, and let the merchant regulate his prices accordingly?—Just so; we would all be satisfied to get less, if we only knew what we were to get.

11907. Would you have the market commence at a fixed hour?—Yes; I think that would be a very good thing.

11908. If you weighed at the public market here at present, would the buyers take that weight?—No; they would only pay for their own weights.

11909. Do the merchants make any complaint of the firkins not being fairly tared?—I never heard them; I have seen them strip firkins, and when they were heavier than the brand, deduct the additional weight.

11910. You disapprove of the system of weighing in private stores?—I do, altogether.

Mr. *Hugh Dolan* examined.

758. Mr. Hugh Dolan.

11911. Where do you reside?—In Cootehill. I have to state, that parties have laid out money in stores and markets for the purpose of accommodating the public, and I think it would be very unfair, after they have done so, to take the market down to Mr. Horan's. We would have no objection to give him all the weighing, provided he gets proper accommodation.

11912. Is there any check upon a dishonest man in private weighing?—Well, I think not. We have no objection to give Mr. Horan the weighing, but we object to the market being removed.

Mr. *John Smith* examined.

759. Mr. John Smith.

11913. Where do you reside?—In Cootehill. I wish to say, that I witnessed an instance of fraud in the weighing of flax. A gentleman farmer came a long distance to sell a large quantity of flax here, and sold it to a person who also purchased a quantity from another man, which was being weighed. While the gentleman was looking on, the person whose flax was weighed, complained that it weighed more at home; the other said to him, "Now, if you cause the man to take the flax out of the scale and put it where the weights are, and exchange them, you will have proper weight." The man weighing changed the flax in a hurry to the side where the weights had been, and after weighing four or five lots he said, "I must have made a mistake, the scales are not balanced." The flax was weighed out, and, instead of being short, it weighed five or six pounds over. I saw great cause of complaint when I sold flax myself. I heard an instance this day, of a man selling mill-scutched flax made up in bundles of sixteen pounds to the stone and weighed. The buyer weighed a few and said that they were short. The seller sent for the man at whose mill the flax was dressed, to certify that he gave full weight, and the bundles were proved to be sixteen pounds each. I am satisfied that the scales and weights are all fair, and the beams, provided the merchants would balance them fairly.

COOTEHILL,
1st *February*, 1853.

760.
Rev. Saml. Roberts.

Rev. *Samuel Roberts* examined.

11914. Do you reside here?—I do.

11915. Can you give us any information with regard to the markets?—I have experienced, myself, several frauds in selling and weighing butter here. I go from one butter buyer to another, and the weights are different; I come to Mr. Horan, and there is a great difference. Complaints of various persons are also made to me. One person complained to me of losing five or six pounds in seventeen pounds of butter. Another man mentioned to me that he lost fifteen pounds in five stone of flax, and he took it to three or four different stores to have it weighed. I wrote to the former Government upon the subject last September.

11916. You consider the system of weighing in private objectionable?—Decidedly so.

11917. Would not a public market, with sworn weighmasters, be a protection to the honest trader as well as the farmer?—It would be the only protection. A gentleman of high respectability told me some time ago of a person buying butter here who sells it cheaper in Liverpool than he can buy it at Cootehill, and, of course, he must get some profit or he could not stand. For instance, how could buyers afford to pay £10 or £15 a year for rent, when they can get the produce weighed at Mr. Horan's for nothing, if they did not get a very handsome profit.

11918. Would you be in favour of well-regulated public markets, with sufficient accommodation, at a reasonable charge, where all agricultural produce should be sold and weighed?—Decidedly; that is the only way justice can be done to all parties. I am very sure the honest trader would feel it as great a boon as the farmer.

11919. Do you think farmers would object to go there?—No; I should say, from their conversation with me, that they would be very happy.

11920. Would you have the market begin at stated hours by ring of bell?—Certainly.

11921. You would have summary penalties for frauds on either side?—I would.

11922. Would you have, in each market, a person empowered to arbitrate between buyer and seller, with an appeal to the magistrates in case of dispute?—I would, and have a supervisor over the weighmaster.

11923. Would you oblige the person in charge of the market to keep regular books, and furnish proper statistical returns?—Decidedly; it is the only place where we can find these statistics, which, of course, are most valuable; or how are we to know our progress.

11924. Would you be in favour of an assimilation of weights and measures all over the country?—Certainly; a great deal of confusion arises from the present system.

11925. Have you ever turned your attention to the decimal system?—I have not turned much attention to it, but I would approve of it, as being the most simple.

11926. Would you have all farmers' produce weighed to the pound, standing beam, and pay for every pound, except the actual weight of the sack or firkin?—Exactly.

11927. Would you be in favour of removing all fairs out of the streets into enclosed fair-greens?—Certainly, I would.

11928. Would you think it a good plan to have the officer at the head of each market the person to prosecute in case of fraud?—Exactly; and in this place a particular difficulty is felt from the want of such an arrangement.

761.
Mr. Thos. Campbell.

Mr. *Thomas Campbell* examined.

11929. Are you a farmer?—I am. I think it is not right that the buyers should weigh for themselves.

11930. If there were a proper, well-regulated public market, with a reasonable charge, and sworn weighmasters, would you object to go there?—No; I would like it very much, and I would like to have the farmer paid for every pound of his produce.

762.
Mr. Patrick Brady.

Mr. *Patrick Brady* examined.

11931. Where do you reside?—In Cootehill.

11932. Are you a farmer?—I am. I wish to state, that when selling butter, you have to go to the store and hand in your butter over a half door, and the money is handed out to you through a window, and you can go no farther. I sold two lots of butter to a man here, about six weeks ago; I was looking at the scale, over the half door, and I saw one lot weigh forty pounds; I asked the man what it weighed, and he would not answer me, but went and entered something down in a book. The next was fifty-four and a-half pounds, and I asked him the question again, and he would not tell me; then when I came to be paid, he paid for thirty-seven pounds, instead of forty pounds; and fifty-one pounds, instead of fifty-four and a-half pounds.

11933. Perhaps that was the deduction of one pound to the score?—But he took three pounds off forty pounds; when I first sold butter here, about ten years ago, we sold it in rolls, for we got a large price; we were paid for every pound, and every ounce; and we weighed with Mr. Horan. The next thing that came was the rule to take one pound to the quarter off; some farmers objected, but if you did not comply, you must take your butter away, for the buyers would not have it. I went into the office of the clerk of petty sessions here, and stated that the public were robbed in butter here; but Mr. Clements, the magistrate, said he could not change the market, for the law was defective. I never saw a policeman in my life walking into one of the shops to try the weights. I was fully determined to summon the man in the case I told you of, but others told me I would only be made a fool of, and that it was the rule, so I had to put

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762. Mr. Patrick Brady.

up with the loss. I had also to pay 1*d.* for every ten pounds, in weighing the butter; last Friday I paid 3*d.* for weighing twenty-one pounds. There was one day in the month of May, when butter became very cheap, and I took back mine because I did not like the price. I weighed eighty pounds of butter in my own scales, and put them into a firkin, and when I sold the firkin, two months after, I was only paid for sixty-nine pounds; that was eleven pounds I lost.

11934. Were your scales right?—I think they were. I could declare that if the firkin was stripped, and the butter put into the scales, it would have weighed seventy-four pounds.

11935. Would you object to go into a public market, with proper accommodation?—Certainly not.

763. Mr. Peter Gartlan.

Mr. *Peter Gartlan* examined.

11936. Where do you reside?—In Cootehill; I am a trader here.

11937. Have you any information to give us?—Yes; I have heard constant complaints here regarding the want of some uniform system of weighing; there should be an efficient weighmaster, subject to some controlling power, and a number of deputies, under him, and sufficient accommodation; I think the chief objection at present to the market-house is the want of accommodation; and then the buyers took stores and weighed there, and, so far as I know, there is a constant torrent of complaint against these places; people are never paid for small quantities of butter, such as two ounces. I know parties who would prefer selling their butter at the shops, and getting 1*d.* a pound less, than going to these markets. As to the flax market, in my opinion, as a disinterested party, anxious for the public good, I think if it remained where it is at present, with properly appointed officers and cranes established, and a regular scale of charges, the public would be well satisfied to pay the usual charge, provided they were getting justice.

11938. If there were proper accommodation, would you be in favour of obliging all parties to make use of public markets?—Decidedly; it would encourage the honest trader, and improve the general welfare of the town; at present there is a certain class of small buyers who purchase quantities of any commodity, and they manage to gain upon the different draughts, and make money of the unfortunate farmers, by re-selling, which they sometimes can afford to do at a lower price than they purchased for. I think a public market would be a very serious benefit to the honest trader and buyer as well as the farmer, for now he has to compete with those parties who are giving dishonest prices.

764. Mr. Charles Foy.

Mr. *Charles Foy* examined.

11939. Do you live here?—I do. I only wish to mention that in the early part of the season, some of the buyers expressed some anxiety to have a person appointed in the town to arbitrate in cases of dispute, and they offered to pay part of his salary. With regard to the charge of 1*d.* a stone upon flax, the seller is not the person cheated, and it is only between the buyer and the miller; every man, when selling, calculates upon losing it.

11940. Why not call it 1*d.* stone less?—Because we must give it to the miller at the regular price, and the 1*d.* a stone is a kind of commission, or part of the profit.

765. Mr. Patrick Macan.

Mr. *Patrick Macan* examined.

11941. Are you a farmer?—I am. I wish to state the conduct of a certain man in this town, in the flax market: I came in on the 3rd of December, with twenty-seven stone, weighed at my own place; sixteen and a quarter pounds in each bundle; I sold it to this gentleman in town, and after I sold it I was going up to the store, when a neighbour of mine sent me word that I would not get justice from this buyer; I said I could not be robbed, as I knew the weight of my flax. I went into the store, and I told him if the flax did not come up to the weight I knew it was, he should not get it. There was a man standing at the cart, another where the flax was weighed, and another in the store; it was handed in and put into the scale, six or seven bundles in one draught; the first draught was weighed, and as soon as it was done, it was thrown into the pile; I objected, but they would not listen to me, and they did the same with every draught; when all was weighed, the master of the concern said to me—"I am going to give thee twenty-five stone seven pounds." "Well," said I, "thee will not get my flax at all." I wanted to get my flax out, and when it was put back upon the cart, there was one bundle wanting altogether; the flax was brought up, and weighed over again, and then he cut off three pounds more.

766. Mr. Isaac Chapman.

Mr. *Isaac Chapman*.—I am the party referred to by the last witness. I think it was on the 3rd of December I got the flax, something about twenty-six stone; I bought it from this man, and had it brought to the store where it was weighed, and it weighed but what he mentioned, twenty-five stone seven pounds. I told him that, and he said it would not do; then I said his flax was ready for him to take away.

11942. Did he ask you to lay the flax by itself?—He asked the boy.

11943. Did he do it?—No; I wished them to do so, but it was left in rows, for I had to put a ticket on every bundle. I counted the flax down to the man, and he said he wanted one bundle; I said if it were lost there it would be got. I counted over every man's flax in separate parcels by itself, and saw that there was a ticket upon every bundle except one, from which the ticket had dropped off, and which he acknowledged himself was

COOTEHILL, *1st February*, 1853.

766. Mr. Isaac Chapman.

not the colour of his flax. I showed him before his own eyes, and before every one there, that I had not a pound of his flax; the flax had remained upon his cart for nearly an hour. A person who had bought flax then suggested that it should be brought up and weighed over again. It was brought up and weighed, and it wanted three pounds of the first weighing; I cannot tell how that happened, I weighed it myself as correctly as I could.

11944. Would you object to buy in a proper well-regulated public market?—By no means.

11945. Would it not be a protection to the honest trader?—It would. Some men can buy at a higher rate and sell lower, from the weight they take off the farmers.

767. Mr. Peter M'Nally.

Mr. *Peter M'Nally* examined.

11946. Do you reside here?—I do.

11947. Are you a shopkeeper?—I am.

11948. Can you give us any information regarding the markets?—I have only to state that I think the people are not dissatisfied with having the butter market in the streets, and that there would be great objection to having it removed.

768. Mr. James Whitelea.

Mr. *James Whitelea* examined.

11949. Do you reside here?—I do. I have heard several complaints regarding the butter market. I have known of very great losses, and lost a great deal myself. I have not lost in flax; I always got justice.

11950. Do you approve of having the butter market in the streets?—No; I think it is altogether wrong.

769. Mr. John Campbell.

Mr. *John Campbell* examined.

11951. Do you reside here?—I do.

11952. Do you approve of the butter market at present?—It would be better for the buyers and sellers, and the public generally, to have a public market, with proper accommodation. When persons pay for weighing and storing here, the accommodation is not at all sufficient. When a man has one hundred stones of flax, and pays one hundred pence, he should not be obliged to stand in the rain. I would like to see a public market vested in the hands of trustees.

770. Mr. Hugh Dolan.

Mr. *Hugh Dolan*.—I wish to state that scarcely any market requires to be regulated more than the cloth market. There is not a web sold here from which there is not 4*d*. deducted; and if there is in the web three-fourths of a yard, wanting an inch, you will be only paid for half a yard. I can prove myself, as a manufacturer, that I lose more than £35 a-year by that transaction.

11953. From whom is the deduction made?—From the manufacturer who sells the cloth.

11954. To whom do you sell?—To the buyer or merchant; 2*d*. is for marking.

11955. I suppose the weaver who marks for himself, should pay the same?—Just the same.

11956. Do the buyers store the web?—Yes; 2*d*. of the charge is for storage. They have stores of their own, just as in flax.

11957. Would they give less for the web if they did not charge 4*d*.?—Indeed I do not think they would. In a web of sixty yards long the difference could not well be divided into sixty parts, but in flax it can be easily divided between the sixteen pounds.

11958. What quantity of linen is sold here in the year?—Probably 600 pieces a week.

11959. All the year round?—I should say at least an average of 500 pieces a week all the year round.

11960. What is the value of a piece?—One pound eighteen shillings.

11961. That is upwards of £50,000 a-year?—Yes, it is the staple trade of the country, and it will be probably much more this time twelvemonths.

11962. Where is it sold?—In the streets; I do not think it is of any consequence where it is sold.

MONAGHAN, *2nd February*, 1853.

Monaghan, February 2, 1853.

771. Mr. James A. Ross.

Mr. *James Alexander Ross* examined.

11963. Do you reside in Monaghan?—I do.

11964. Are you Chairman of the Town Commissioners?—I am.

11965. Can you give us any information as to the patent or authority under which the markets and fairs in this town are held?—By a patent of the 9th James I., granting to Sir Edward Blaney the right of holding a weekly market on every Tuesday, with all tolls and customs; and, also, by letters patent in the 19th of James I., granting the holding of two fairs and a market on every Monday.

11966. What are the market-days now?—Monday is the general market, and a grain market on Saturday and Wednesday; wheat and barley are also sold on Tuesday and Friday.

11967. What are the fair-days?—The first Monday in every month.

11968. Was there any patent obtained for holding these fairs?—No.

771.
Mr. James A. Ross.

11969. When were they established?—About thirty years ago.
11970. The old fairs are not held?—No.
11971. Who is the present proprietor of the markets?—Lord Rossmore.
11972. Is he the representative of the original patentee?—He is.
11973. Are tolls paid in the markets or fairs?—No; they have not been paid for many years.
11974. When were they abandoned?—About twenty-five years ago.
11975. What market accommodation have you?—A market-house for the sale of oats, wheat, barley, meal, butter, and potatoes; there is an open space round the market, with two beams and scales.
11976. Have you a second market-house?—We have a shambles.
11977. Where is pork sold?—In the streets.
11978. Where is your flax market?—Also in the streets. There is also an enclosed square for the sale of fowl and eggs, free of all charges, given by Lord Rossmore.
11979. Have you a fair-green?—Yes.
11980. What quantity of land is there?—Probably about six English acres.
11981. Have you standings in the streets?—Yes.
11982. Is there any charge for them?—There is.
11983. Is all the agricultural produce of the town sold in the market-place?—Wheat, oats, and barley are, except what is sold at some mills in the country.
11984. Does Lord Rossmore keep the market in his own hands?—No; he has set the market to the Town Commissioners for £50 a-year; and the Commissioners light the town, keep it clean, and supply water.
11985. Do they collect tolls?—No; only cranage fees.
11986. Is there a board posted up stating the charge?—There is.
11987. Has Lord Rossmore appointed a weighmaster?—No; he has given all the right to us, and we rent the market-house by proposal every year.
11988. Does the man who rents it act as weighmaster?—He does.
11989. What do you let?—The market, and the shambles, and stalls.
11990. Is the party sworn?—I cannot say.
11991. Might an article be sold in the market and not weighed, and taken away without charge?—It might.
11992. How many weighmasters have you?—Three; one for the crane, one for the shambles, and one for pork.
11993. Is all the produce weighed in the market?—No; some of it is weighed in the private stores.
11994. What rent do you receive?—£160 for the market-house; £43 14*s.* 3*d.* for the Diamond stalls; £42 for the pork; and £30 for the shambles.
11995. Do the Commissioners levy a rate in addition?—They do.
11996. Do the markets begin at a fixed hour?—They do.
11997. Can you give us a copy of the charges for weighing?—Yes.
11998. Do the market arrangements here give satisfaction?—I think, buying flax at sixteen pounds to the stone, and two pounds off the hundred-weight, and eleven pounds off a pig, are objectionable.
11999. Would you be in favour of a well-regulated public market, where all agricultural produce should be sold and weighed?—I would.
12000. Do you think the charge to the farmer ought to be more than would keep up the market?—I do not.
12001. Would you be in favour of an assimilation of weights and measures all over the country?—I would.
12002 Did you ever turn your attention to the decimal system?—If it could be adopted, it would be much easier than any other.
12003. Would you have all agricultural produce weighed by sworn weighmasters, to the pound, standing beam, and abolish all deductions?—I would.
12004. Would it not be an advantage, to compel the officers of the market to furnish proper statistical returns?—It would be a great advantage.

Mr. *Samuel Richardson Burnside* examined.

772.
Mr. S. R. Burnside.

12005. Do you reside here?—I do.
12006. What is your occupation?—I act for the weighmaster.
12007. What are the charges?—Two pence a sack for grain; 1*d.* a sack, potatoes; 2*d.* a crock of butter over fifty pounds; under that 1*d.*; meal, 2*d.* a sack; flax, ½*d.* a stone.
12008. Do you charge whether an article is weighed or not?—In some cases we have stopped sacks, and made a charge when they were being brought away. We apprehend that when goods are brought to the market we have a right to receive a charge upon them.
12009. Then you charge fees whether you weigh or not?—If we can get them; but the thing very seldom occurs.
12010. Do you charge on flax whether weighed or not?—We do not.
12011 .What is your system of weighing corn?—Down weight, to the seven pounds.
12012. Must it take seven pounds down?—It must, or we throw seven pounds out.
12013. What would bring the scale from standing beam to down weight, with a draught of three hundred-weight?—I think, three pounds would turn a forty stone draught. I think one pound would turn two hundred-weight.

MONAGHAN, 2nd February, 1853.

772.

Mr. S. R. Burnside.

12014. What deduction do you make?—We only weigh gross, and only take off seven pounds for the weight of each sack, no matter what it weighs.

12015. Suppose it weighed ten pounds?—We take no more than seven pounds.

12016. Do you keep a book?—No; we give a ticket.

12017. Do you keep a copy of it?—No.

12018. What is the average weight of the sack here?—I should say, five pounds is as near an average as could be fairly made.

12019. How do you weigh butter?—Down weight, to the pound, and deduct five pounds, besides the tare of the cask, which is twelve pounds branded on it.

12020. What is the five pounds for?—I believe it is considered for leakage.

12021. Is there any other deduction?—No.

12022. Does the buyer charge the seller any thing?—I believe he charges cranage in addition to ours, in some stores 1*d.*, in others 3*d.*

12023. Is it bought by the firkin of seventy pounds?—It is.

12024. Is any thing over seventy pounds paid for?—No.

12025. Any thing under it is deducted?—It is.

12026. Do you weigh the firkins out?—We do not.

12027. Why do you not give the farmer the satisfaction of knowing what he has lost?—It would do him no good.

12028. Are you afraid men might be dissatisfied if they knew what they had lost?—Indeed we do not bother our heads much about what their feelings may be; we act according to custom.

12029. Are the tares branded on the firkins generally correct?—Not generally; the brand is less than the weight.

12030. Are they frequently stripped?—Sometimes.

12031. Do the coopers brand their own firkins?—They do.

12032. How do you weigh crock butter?—Down weight, to the pound, and strip the crock and deduct whatever it weighs.

12033. What do you charge?—Two pence over fifty pounds; 1*d.* under.

12034. What deduction is made?—One pound to the score.

12035. What is that for?—Soakage, I believe.

12036. Does the merchant make any charge?—I understand some charge 1*d.*, others 3*d.*

12037. Do you weigh the crock in the same manner as the butter, down weight?—No; standing beam.

12038. Suppose the crock weighed ten three-quarter pounds, what do you call it?—Eleven pounds.

12039. Do you charge for weighing potatoes?—Yes.

12040. Are you aware that there is an Act of Parliament against it?—I heard of it, but never saw it; we charge for the ticket.

12041 If a farmer got potatoes weighed, and did not require a ticket, would you charge him?—We would.

12042. Do you make any charge for parties retailing potatoes?—No; we generally weigh them in the first instance inside, and they have small scales of their own for retailing them.

12043. Do you charge for standings?—Not for potatoes; only for meal standings.

12044. How is flax sold?—By the stone of sixteen pounds.

12045. Do you weigh it down weight? No; a cast of the beam.

12046. Does the buyer charge the farmers any thing?—I believe 1*d.* a stone.

12047. Does he give you $\frac{1}{2}d.$ out of that?—He does.

12048. When he weighs at his own place, does he also charge 1*d.*?—I believe he does.

12049. Is this a large flax market?—I think it is.

12050. If a party weighed a sack of meal, and paid 2*d.*, and then wanted to retail it, would you charge him again?—Generally it is the purchaser who retails; the meal goes into another man's hands, and we charge him.

12051. The same article pays twice?—Yes.

12052. Have you ever heard complaints of the system of weighing in private?—I have; the farmers are not generally content; and they have come to me sometimes with butter to test the weight, and perhaps there might be one pound or two pounds wrong in a crock.

12053. But as to corn?—Corn is never brought back.

12054. In your opinion is there much fraudulent weighing going on?—I cannot form an opinion, except from report.

12055. What proportion of the butter do you weigh?—Nearly half the crocks; the rest is weighed at private stores.

12056. Do you weigh half firkins?—Yes.

12057. Do you weigh lump butter?—Only in cases of dispute.

12058. Was Mr. Richardson, the lessee, sworn?—No.

12059. Were you?—I was not.

12060. Does your system of weighing generally give satisfaction?—The people are very well satisfied with it, to the best of my judgment.

12061. What kind of accounts do you keep?—We do not keep any accounts of the weighing.

12062. If a ticket were lost, you could not give a copy of it?—I could not.

12063. Could you furnish a return of the quantity weighed in your market for a year?—It would be a very vague return.

Bernard Duffy examined. 773. Bernard Duffy.

12064. Do you reside in Monaghan?—I do.

12065. What is your occupation?—I am a dealer in pigs, and I rent the shambles here, and the pork market.

12066. What do you charge for weighing a pig?—Two pence.

12067. Do you weigh down weight?—A little better than standing beam.

12068. What is the smallest weight you use?—One pound.

12069. How is pork bought?—It is bought by 120 pounds, and weighed by 112 pounds, and eleven pounds taken off; the eleven pounds hang upon the side of the beam.

12070. Do you ever take off more than eleven pounds?—Never; I do not know what the buyers may do.

12071. How does the buyer bring the weight into long hundreds-weight?—By taking eight pounds off the hundred-weight.

12072. If there were odd pounds, from what does he deduct them?—From thirty pounds.

12073. Does he make any charge?—I believe he keeps 6*d.*

12074. Does that cover your charge?—I believe it does.

12075. Are you sworn?—No.

12076. Have you a deputy?—I have.

12077. Do you keep a book?—I make a double entry; one for the buyer and one for myself in the book.

12078. Do you give a ticket?—Yes.

12079. What do you pay your deputy?—Half-a-crown every market day.

12080. Does he make out the tickets?—No; I have a clerk to do that.

12081. What do you do yourself?—Nothing at all except to take the money.

12082. Are there many complaints here about cutting the prices of measly pigs at, the end of the day, and matters of that kind?—There are complaints of persons buying measled pigs at so much per hundred-weight, and refusing to pay the full price at the end of the day.

12083. Is there a man to inspect pork here?—There is; but the people do not inquire after him.

12084. Would the buyers abide by his decision?—I think they would.

12085. What quantity of pigs are sold here?—There were about 300 sold last market-day.

12086. Is that the average?—No; about 250 in the winter half-year.

Mr. *Patrick Commesky* examined. 774. Mr. Pk. Commesky.

12087. Do you reside in Monaghan?—I do.

12088. What is your occupation?—I inspect live and dead pigs under the Town Commissioners.

12089. Are you paid a regular salary?—I am.

12090. Are there many disputes here about measled pigs?—Heretofore very much, but I lessened them lately; for when buyers know there is a person to inspect, they will not persevere so much.

12091. Do you charge for inspecting?—Not one halfpenny; I am paid by the Corporation. There was a place allowed formerly for diseased pigs, but there are hardly any here now.

Mr. *Andrew Rennick* examined. 775. Mr. Andw. Rennick.

12092. Where do you reside?—Near Monaghan.

12093. Do you buy butter in the market here?—I do, and in my own store.

12094. Do you weigh at your own store?—I do.

12095. If butter were weighed at the market, would you weigh it again at your own store?—No.

12096. Is the system of weighing at your store the same as we have heard?—It is.

12097. Do you make any charge?—Two pence weighing, and 2*d.* cooperage.

12098. What do you charge for a crock?—Three pence.

12099. Any charge for lump butter?—No.

12100. Would you be in favour of having all butter sold and weighed in the public market, under sworn weighmasters and inspectors?—I would be in favour of having it weighed in the public market, but I do not think there is any occasion for inspection there; persons know very well whether they are getting value, and it would be only an additional expense to have a taster. We had an inspector, and we never approved of him.

12101. Suppose you draw butter and do not approve of it, and the next buyer does the same, and so on, would it not injure the butter to have ten or fifteen men draw it?—Very little, and that very seldom happens; it is usually confined to one or two.

12102. Would you be in favour of having the farmer paid for every pound of his butter?—I would.

12103. Would it be a good plan to oblige all firkins to be branded by a sworn officer before sale?—Certainly; if I buy 1,000 firkins here, I am obliged to keep men to strip them and ascertain the extra tares before I can send them across the water. I have bought some firkins branded twelve pounds, which, when they were stripped, weighed eighteen pounds.

12104. Would you be in favour of an assimilation of weights and measures all over the country?—It would be much the best plan for doing business.

12105. Would you be in favour of the decimal system?—Well, I suppose, if a change were to be made, we might as well finish the matter, and come to the decimal system at once.

MONAGHAN, *2nd February*, 1853.

775. Mr. Andw. Rennick.

12106. Is not a well-regulated public market a protection to the honest trader as well as to the farmer?—I think it is the only protection for the honest trader. I would like to have every thing weighed by a public crane-master.

12107. Would you have firkins branded on the sides, top, and bottom, before sale?—If that be not done, there can be no fair play. The five pounds deduction was always considered by the farmers a loss to them, and they tried to make it up.

12108. You would be in favour of abolishing all these deductions?—I would.

12109. Would it not be desirable to have the statistics of all markets properly kept?—Certainly; if there were proper accommodation in the public market I never would buy a firkin in my own place.

12110. Does the over-weight you get at all equal the tares?—Well, I suppose it goes very near it.

776. Mr. James Wright.

Mr. *James Wright* examined.

12111. Do you reside here?—I do.

12112. Do you buy butter here?—I do.

12113. Would you object to buy in a well-regulated public market?—I would be very happy to go there. There is scarcely a market-day here that there are not complaints; I may be objected to myself and know nothing about it. We cannot afford to pay men properly, and the sort of men we have do make mistakes, which I have been repeatedly called upon myself to set right. It would be much better for the country to have public markets, with proper men appointed there.

12114. Would you be in favour of abolishing all deductions, and paying the farmer for every pound of his butter?—I would.

12115. Would you be in favour of an uniform system of weighing?—Certainly; and I think the decimal system would be the best.

12116. Would you have the markets commence at a stated hour?—I think so; it would place all persons on an equality.

12117. Do you think there are many frauds in weighing practised here?—I think there are a great many.

12118. Could you give any idea of the quantity of butter sold here?—I think, upon an average, about £1,000 worth every market-day for the whole year.

12119. Would you be in favour of having a butter inspector?—I think not; I would rather see the article I was buying myself, and I think with such an amount of competition as there is in this market, there is no occasion for an inspector. If there were an inspector, the buyers might get together in the morning and settle the prices, but where each party comes in on his own account, we must offer exactly what the article is worth.

12120. Could not the buyers agree together on the prices just as well when there is no inspector?—I think they could not; besides the farmers may change the casks after being inspected.

12121. The casks need not be left in their hands at all?—That would certainly meet that one objection.

777. Rev. Dr. T. Mooney.

Rev. Dr. *Thomas Mooney*.—I am not much occupied in the mercantile world; my knowledge is rather theoretical; however I have some little practice. I think the frauds of the small dealers in butter are a more crying evil than those of the large. If I only send seven pounds by my servant to the Monaghan market, I have it weighed at home, and I have as good weights as any man. I allow half-a-pound for fraud, but a gentleman to whom I sold butter was not satisfied until he took three-quarters of a pound. I went to him myself, and remonstrated with him, and threatened to expose him in the public papers; and I had only one redress, never to send him any again, and I never did. I appeal to the meeting whether the general system is not as glaring as the sun at noon-day. I will only make a few observations in regard to the buyers of pork. They take eleven pounds to each pig. When a pig is sold in England the top of each foot is cut off and thrown into the scale with the weights, and that is all the deduction made. If you sell to a merchant in Belfast, he takes 120 pounds to the hundred-weight, and deducts eleven pounds. Another very great grievance is, that potatoes coming in here are immediately bought up by forestallers, and the poor starving people here may have to pay nearly $1\frac{1}{2}d.$ more for them. We have been so long accustomed to frauds here, that we submit patiently to have five pounds taken off every firkin of butter, and only to be paid for seventy pounds, whatever the quantity there.

12122. Do you complain of frauds, or only deductions?—Frauds by deduction—the grossest frauds.

12123. Would you be in favour of a well-arranged public market?—I would.

12124. What is charged for weighing small quantities of butter here?—One penny to every ten pounds.

778. Mr. Robert Sloane.

Mr. *Robert Sloane* examined.

12125. Do you sell butter?—I do, and I am obliged to go to the county Armagh, from the injustice of the beams and scales at the Ballibay market, in this county. I was in the court-house of Ballibay on Monday, where a case came before the magistrates. A man sold a quantity of butter which he had weighed at home in Carrickmacross, and found, to be twelve pounds, and he was only paid for eight pounds and a half. He took it to the police-barrack, and it was weighed there, and the weight was eleven pounds three quarters. I sold at Ballibay, myself, a quantity of butter at $9\frac{1}{4}d.$ the pound; I saw it weighed at home, and

778. Mr. Robert Sloane.

when the buyer said it was thirty-six pounds I refused to give it to him. I took it to another party to whom I told nothing about it until it was weighed, and it weighed thirty-eight pounds. I always now go to the county of Armagh, and never sell one pound of butter in Ballibay. In the flax trade we are robbed just the same; I sold fifty-one stones of flax on Saturday, and two pounds to the hundred-weight were taken off. On Saturday fortnight I sold flax, the last stone of which the buyer only weighed at fourteen pounds. I sent it to the market-house crane, and it weighed seventeen pounds, beam and beam, and I got the crane note for sixteen and a quarter pounds to be paid for. I complained to the head constable, who came and examined the scale, and it took one pound one ounce to balance the scale where the flax was. I wished to have the scale reversed—the flax man wished to keep his finger on to move the beam. The scale was reversed, and it took two pounds to balance the two scales when reversed. We consider it a grievance in Ballibay that sixteen and a quarter pounds are taken to the stone, and two pounds deducted to the hundred-weight; and for one farmer who can calculate long weights out of short weights, you will find one hundred who cannot do so, and therefore do not know what they are getting. Every article should be weighed, cock-and-cock, and paid for as it is.

12126. You would not conceive it any hardship to be obliged to go into a public market?—Certainly not; I think it would do us great justice.

12127. Would you be in favour of an assimilation of weights and measures?—Decidedly.

12128. Would you approve of the decimal question?—Yes; it would be the easiest of calculation.

12129. Would you have frauds, committed by either party, punished in a summary way?—Most certainly.

12130. Would you have the markets begin at a fixed hour?—As a seller, I should like it very much.

12131. Would you have fairs removed from the streets into well-enclosed and drained fair-greens?—I would.

12132. As a farmer, would you object to pay a small charge for a standing?—No more than I would object to pay county cess.

12133. Would you have a person in every market to decide disputes, and not leave the decision altogether to the buyers?—Decidedly.

779. Mr. James Taylor.

Mr. *James Taylor* examined.

12134. Do you reside here?—I do.

12135. Are you a seller?—Yes, I sell butter and flax; I have only to remark, that I have seen several ways of wronging people in weighing; when the weights are right the beam is wrong, and also the weights are counted wrong, and the country people are not quick enough to count them right.

780. Mr. John Gowdie.

Mr. *John Gowdie* examined.

12136. Where do you reside?—Two miles from Monaghan.

12137. Do you generally concur in the observations which have been made?—I do not exactly concur in what has been said about frauds; I think the bad regulations of the trade have brought them on as much as any thing else.

12138. Do you find that you are unfairly treated?—According to the regulations of the market, I am; I complain of the system; I complain that there is no smaller weight than seven pound used in weighing grain, and seven pounds taken off for the sack, and heavy down weight required; so that, I calculate, every poor man who brings in a sack of oats loses nearly a stone; I also complain of every article being charged, whether it is weighed or not, and even whether it is sold or not.

12139. Would you approve of a well-regulated public market, where all persons should be obliged to sell and weigh?—I would.

12140. And an uniform system of weighing?—Yes.

12141. Would you be in favour of the decimal system?—Yes; it would be the fairest in every way, and the easiest for the country people to count by.

12142. You would have all deductions abolished?—Certainly.

12143. Would it not be desirable that the officers in charge of the markets should keep correct statistics?—I think it would be pleasant enough, but I do not see that it would be of much use to buyers or sellers.

12144. Would you have the markets commence at a fixed hour?—I would.

12145. Would you remove the fairs into enclosed fair-greens?—It would be very desirable.

12146. You would not object to pay a small charge for a good standing?—Certainly not.

781. Mr. H. G. Johnson.

Mr. *Henry George Johnson* examined.

12147. Do you reside here?—I do.

12148. Would you be in favour of a public market?—I would.

12149. And an uniform system of weighing, abolishing all deductions?—Decidedly.

12150. Would you have all fairs removed out of the public streets?—Probably it would be better.

782. Mr. Fras. M'Mahon.

Mr. *Francis McMahon* examined.

12151. Do you reside here?—I do.

12152. Do you purchase flax?—Yes.

12153. How do you weigh?—We buy by the stone of sixteen and a-quarter pounds, and take two pounds to the hundred-weight, and weigh to the pound, with the draught in

MONAGHAN, *2nd February*, 1853.

favour of the flax; a great many parties damp their flax, so that two pounds would not make up the weight.

782. Mr. Fras. M'Mahon.

12154. If you found flax wet would you take something more?—I would not take it at all.

12155. What do you charge?—One penny a stone for storage; and if it is weighed in the market we pay ½*d.* to the weighmaster out of that.

12156. What is the greatest quantity you buy in a day?—From 600 to 1,000 stones, or, sometimes, 1,400.

12157. What do you pay a year for your store?—I have paid £10.

12158. If you did not weigh the flax would you stop the 1*d.*?—I do not buy without weighing it.

12159. What check is there upon a buyer who chooses to act dishonestly?—There is the public crane.

12160. Would not a public crane, where all should be weighed by sworn weighmasters, be the best for all parties?—I do not say that.

783. M.J.Anketell,esq.D.L

Mathew John Anketell, esq., D.L., examined.

12161. Do you reside here?—I do.

12162. You are a magistrate for the county, and deputy-lieutenant?—I am.

12163. Do you concur generally in the opinions we have heard?—I do; and I am led to think that a great many of the charges we have heard against buyers arise out of circumstances over which they have no control; I no not mean to say it is impossible they may not be honest; but it arises in great measure from the persons the master-buyers are compelled to employ in weighing here, who have a habit of taking a number of what are called here "johnnies"—half-glasses of whiskey—until towards the evening of the day; these johnnies being no great harm singly, but accumulating like Lord Strafford's constructive treason, fifty to one of these men cannot tell what they are weighing; I mention this, because, while I believe the farmers have great cause of complaint, at the same time, I believe that many of them arise, not so much from the buyers as from the people they employ; and for that reason alone, I would be in favour of a public market, where the weighmaster and all other officers should be on their oaths.

12164. Would you have the officer at the head of each market allowed to act as arbitrator between buyer and seller?—Yes, that would be a very simple plan; I am not aware what the laws are regarding forestalling, but, I think, it should be legislated for.

12165. Obliging all parties to come into a public market would soon put an end to it?—Yes, it would.

12166. Would you be in favour of an assimilation of weights and measures everywhere?—Yes, and I think the decimal system would be the best; as an instance of the importance of simplifying the system, I may mention that four or five years ago, when the famine was here, we had twenty-one clerks for the electoral divisions of this union, and I recollect, that out of the twenty-one, there were not more than three who could keep their accounts, and they had to call in all the country schoolmasters,—actually the schoolmasters were flying over the whole country at a premium; and these twenty-one persons were supposed to be respectable men.

12167. Would you have agricultural produce weighed standing beam, and the farmer paid for every pound?—I would; and I would have the sides, tops, and bottoms of all vessels branded, and let the sacks or crocks be always tared, and the actual weight deducted.

12168. Would you have all fairs removed out of the streets into properly-enclosed fair-greens?—Decidedly.

12169. You would not object to pay a small charge?—Certainly not.

12170. Would you oblige the officers of each market to furnish proper statistical returns?—It would be very important, not alone upon local grounds, but as a general principle. For the last three or four years I have had occasion to make out a large amount of statistics, for railway and other purposes; and if it had not been for the assistance of the crane-master, I do not know what I could have done.

12171. Would you oblige the clerks of the market to enter in every ticket the number of sacks or firkins, the weight, and the price?—Decidedly.

12172. Do you find much inconvenience here arise from the £5 clause of the Summary Jurisdiction Act?—A great deal; it is perfectly ridiculous.

12173. Do you think the limit of £5 should refer to the amount of the fraud attempted, not the value of the whole article?—Decidedly; that should be its meaning.

784. Robt.H. Dolling,esq.

Robert Henry Dolling, esq., examined.

12174. Do you reside here?—I do.

12175. You are a magistrate?—I am; I quite concur with the opinions expressed regarding the Summary Jurisdiction Act; the improvement suggested would very much facilitate my operations here, for there are a great many complaints; I would like to say, in justice to the buyers who frequent this town, and also the other towns of Ulster, with whom I have an extensive acquaintance, that a great many of them are respectable honest men, who have been driven into this system, not from any wish of their own at all; they are anxious to pay for every pound they buy; but there are numbers of low buyers going about the country, and it is by them they are driven into this system, against their will; therefore, an uniform

system, which would abolish these deductions, would be a great advantage to the country. I am quite convinced, that if there were in each market town proper fair-greens and markets, provided with sufficient cranes, and having large boards posted in prominent positions, so that every farmer might see what he had to pay, it would greatly facilitate business, and benefit all parties.

12176. You would oblige all persons to go there?—I would. Two or three years ago, when a private Act was brought in for Belfast, there was a tremendous outcry, because the people were obliged to go into the market; but now that they have found the system to work so well, the outcry has completely died away, and farmers, and even poor women, bringing in baskets of fowl, are perfectly satisfied to go into the market, and pay a small toll; and the people of the town are perfectly satisfied, for they have only to go into the market-place, and get whatever article they want. One thing more I would like to add—that there should be one or two persons obliged to go round all the market towns once or twice a year, to inspect all the markets, and have penalties, unless they were in proper order. I do not think the thing can ever be well done unless some officers are appointed by Government, to go round, as the gaol inspectors do, and inspect the markets.

12177. What is your opinion with regard to investing the market in trustees?—I have not given the question any consideration.

12178. Do you think the charge at fairs should be paid upon all cattle entering?—Most decidedly, on entering.

A Schedule of Charges, to be paid to the Contractors for the Diamond and Shambles, Stallages, and Cranes, within the said Borough, viz. :—

DIAMOND STALLAGES.

	s.	d.
For every stand of old clothes,	1	0
Vehicle used by auctioneers,	1	0
Six pence formerly charged for—		
Stand, covered or roofed,	0	5
Cart or car-load of fruit,	0	4
Stand of tin ware,	0	4
Cart of turnips, on Mondays,	0	3
Stand of stockings,	0	4
Four pence formerly charged:		
Of hardware or soft goods, unroofed,	0	3
Of shoes or brogues,	0	3
Of linen or hats,	0	3
Iron or metal ware,	0	3
Spades or shovels,	0	3
Delph or earthenware,	0	3
Lot of quicks or forest trees,	0	3
Stand of nails,	0	3
Seeds or vegetables,	0	3
Confectionary,	0	3
Mixed goods, &c.,	0	3
No charge formerly.		
Lot of furniture or carpenters' work,	0	2
Coopers' ware or dishes,	0	2
Scantling, timber, &c.,	0	2
Grass besoms or mats,	0	1
Formerly charged.		
Creel of fruit or fish,	0	1
Bag of salt,	0	1
For every stand of beef,	0	4
Lot of bacon,	0	2
Load of plants or fish,	0	2

SHAMBLES STALLAGES.

N.B.—The Beef Standings were charged formerly only 4*d.*, and the Plants, Fish Creels, or Baskets, were not charged.

	s.	d.
For every cart, or lot of young pigs,	0	2
And if a crate offered,	0	4
Or if a crate supplied by contractor,	0	4
For every barrel of fish,	0	1
Lot of creels or baskets,	0	2

N.B.—All Persons putting any obstructions, or hindrances, to the free passage of any of Her Majesty's subjects, on or across any of the footpaths, in the said borough, will be fined according to law.

The foregoing is a copy of what is printed on the Stallage Board.

September, 1843. James M'Night.

SHAMBLES CRANES.

	s.	d.
For every draught in large crane,	0	2
For every carcass of flesh retailed,	0	4

MARKET-HOUSE CRANES.

	s.	d.
For every sack of meal or oats,	0	2
,, ,, potatoes,	0	1
Every stone of flax,	0	0½
For every crock of butter under 50 lbs.	0	1
50 lbs. and upwards,	0	2

Castleblayney, February 3, 1853.

Mr. *James Wallace* examined.

12179. Do you reside in Castleblayney?—I do.

12180. Are you the weighmaster?—I attend to the crane for Mrs. Henry, who rents it from Lord Blayney.

12181. Is Lord Blayney the owner of the market?—He is.

12182. Do you know any thing about the patent or authority for holding markets here?—I do not.

CASTLEBLAYNEY, 3rd February, 1853.

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Mr. James Wallace.

12183. Are there any tolls or customs levied here now?—None whatever.

12184. Are there market-places here?—There is a market-house, with an open space around it, provided by Lord Blayney, for the sale of butter, flax, corn, hay, and straw.

12185. Is pork sold there?—We have no pork market.

12186. How many beams and scales are there?—One for corn, one for flax, and one for butter. There are also two small scales for butter.

12187. Any other market accommodation?—There are shambles.

12188. Is there a fair-green?—There is.

12189. Is it in the streets?—It is.

12190. Is there a weigh-bridge here?—Yes.

12191. What rent does Mrs. Henry pay?—I believe £40 a-year

12192. Are you sworn?—No.

12193. Is the market let every year?—I believe it is taken from year to year.

12194. Is there a board up in the market, showing the charges?—There is not.

12195. No person knows what he has a right to pay?—It is very well understood, generally.

12196. Have you printed or written lists, or records, of any kind?—None at all.

12197. Were the charges fixed by Lord Blayney?—I think they were fixed by the court-leet.

12198. When did the courtleet sit?—I think about twelve years since.

12199. Is there a seneschal in the town?—Yes, Lord Blayney's agent, Mr. Mayne.

12200. Could Mrs. Henry raise the charges if she chose?—Certainly not.

12201. What are your charges?—One penny a draught on the scales, and 3*d.* on the weigh-bridge. Small draughts of butter are only charged ½*d.* up to ten pounds.

12202. If persons sell in the market-house, but do not weigh, do you make any charge?—No; they may sell in the market-house and weigh elsewhere.

12203. Is all the agricultural produce of the town sold there?—Generally, all the grain is. Butter in small quantities is also sold there, but not in firkins. Firkin butter is sold about the town; and a great portion of all the agricultural produce is sold in the streets, and weighed at merchants' stores.

12204. Is your accommodation sufficient to weigh all the produce, if it came in, without delay?—I think it is; and if there was not sufficient, Mrs. Henry would provide more.

12205. What is your system of weighing grain?—Down weight to the seven pounds.

12206. If the scale did not go down would you throw seven pounds out?—Certainly.

12207. What would bring the scales from standing beam to down weight?—I suppose two pounds would do it well.

12208. What do you deduct for the empty sack?—Seven pounds; and if it is heavier fourteen pounds are taken.

12209. Is the sack ever weighed?—It is.

12210. If it weighed half a pound over seven pounds would you deduct fourteen pounds?—Yes.

12211. What is the average weight of each sack?—I should say five pounds or six pounds. We weigh gross. It is the buyer who deducts the weight of the sack.

12212. Do the buyers charge when grain is weighed at their stores?—I think they charge 1*d.* a sack, for what they call storage.

12213. Do they charge for porterage?—One penny covers it.

12214. Have you barrowmen in your market?—We have.

12215. Who pays them?—The persons who employ them pay them 1*d.* a sack.

12216. If a man weighs grain with you, and then takes it to the merchant's stores, does he pay 1*d.* a sack?—I cannot say as to that; I believe it is their rule to charge 1*d.*

12217. If a man does not employ these porters, can he get to the scale as easily?—He cannot get as easily.

12218. Are they under your control?—They are not.

12219. Do the barrows belong to themselves?—They do.

12220. How many of these men are there?—Eight or ten.

12221. Can any man who chooses act there?—He can, of course.

12222. Is not that a bad arrangement?—Very bad.

12223. How do you weigh butter?—Small quantities are weighed standing beam; firkin butter is also weighed standing beam, and five pounds taken off every firkin; but I very seldom weigh that butter.

12224. Do you weigh flax?—No.

12225. How do you weigh potatoes?—Just the same as oats.

12226. Did you ever know of frauds practised in weighing in the private stores?—I have heard many complaints as to the weighing of butter, but not as to corn; there is only one store here, and a fairer place could not be.

12227. Or with regard to flax?—I have not heard any.

12228. What quantity of butter is sold here in the week?—A very large quantity of fresh butter; I do not know as to firkin.

12229. Is there much fresh butter weighed in the public market?—There is.

12230. Do you keep a book?—I do not.

12231. Do you give a ticket?—Certainly.

12232. What do you enter in it?—The weight, the seller's name, and the date.

12233. I suppose you could give no information as to the quantity weighed in your market for a year?—Not at all.

12234. What are the market-days?—The grain market is on Tuesday and Friday; Wednesday is the general market, when flax, meal, potatoes, butter, fowl, and eggs, are sold.

785.
Mr. James Wallace.

12235. What are the fair-days?—The first Wednesday of every month.

12236. Does any inconvenience arise from having the fairs held in the public streets?—There is not a great deal of the fair in the public streets, except the pig market.

12237. Is there any charge for stalls?—No, except that any person who lets a table, charges for it.

Mr. *Henry Bragan* examined.

786.
Mr. Henry Bragan.

12238. Do you live in Castleblayney?—I do.

12239. Are you employed in the market?—I weigh butter there.

12240. Do you weigh firkin butter?—No; firkin butter is not weighed in the market-house; it is weighed in private cranes by the buyers, and crock butter in the same way; I only weigh lump butter.

12241. What is your system of weighing?—I charge $\frac{1}{2}d.$ up to ten pounds, and over that $1d.$, and no matter how large, I weigh it for $1d.$; I weigh with just a cast of the beam, and deduct one pound to the score.

12242. Do you weigh to the pound?—Any thing that goes up to five pounds, I weigh to a quarter pound, and any thing over that to a half pound.

12243. How many scales have you?—Sometimes three small scales.

12244. What is the deduction made for?—I do not know; it is a regular custom which has been in the market these four years back.

12245. Was it the buyers laid down the rule?—It was; they call it soakage.

12246. Soakage in lump butter?—Yes.

12247. Do you give a ticket?—I do not.

12248. Can you write?—No.

12249. Can you read?—I can read print.

12250. You only count the money and give it to Mrs. Henry?—Just so.

12251. Are you paid?—I am.

12252. You hand your receipts to Mrs. Henry?—I have no receipts at all; I hand her the money.

12253. Could you tell what quantity you weigh in a year?—I could not.

12254. What proportion of what is sold in the market do you weigh?—I could not say.

12255. Do you weigh a half?—No, nor a fourth.

12256. Do you weigh a tenth?—No.

12257. How many pence had you at the end of the last day?—I had $7s.$; it was mostly all half-pence.

12258. Do you think you weigh more than a twentieth?—Indeed I don't think I do.

12259. How do you account for the butter not being weighed with you?—The buyers take houses and weigh for themselves, and they think they can make at the private stores by weighing.

12260. Did you ever know any instances of fraudulent weighing?—I never did.

12261. Did you ever hear of any?—I did.

12262. Do parties ever come to re-weigh with you?—They do.

12263. Do the weights prove to be wrong?—They do; from one pound to one and a-half pounds upon small draughts.

12264. Did you ever hear complaints regarding your own system?—Indeed I did, many a time.

12265. By whom?—By the country people; sometimes the buyers would not take their weights.

12266. How long have you been weighing?—Seven or eight years.

12267. Do you ever make up the price of lump butter for the farmer?—Never.

12268. Could you do it?—I am not too apt at counting.

12269. Does the buyer make any charge on the butter?—I know nothing about it.

Mr. *Richard Hall* examined.

787.
Mr. Richard Hall.

12270. Where do you reside?—Near Castleblayney.

12271. Do you sell in this market?—I do.

12272. Do you think the market satisfactorily conducted?—I do not; they take more than what is regular in the weight. I have known butter weighed down weight at home, and there was a quarter of a pound here stopped out of five pounds, which was, with the other deductions, two pounds to the score. The farmers, in general, say the weights are not fair, and they go to the markets in the county Armagh.

12273. When a farmer is selling butter, if he does not like the charges, can he take it away?—I believe he can; but it is disfigured a little by the weighing.

12274. Do you sell firkin butter?—I do.

12275. How is it weighed?—Down weight, to the pound, and five pounds beamage deducted.

12276. What is taken for the empty firkin?—According to the tare; whatever is branded, but perhaps they may take two pounds more and say it is too heavy.

12277. Do they pay for more than seventy pounds?—No more, if we had 100 pounds.

12278. Do they weigh it out?—No; we do not know what may be the quantity over seventy pounds.

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12279. If it was short of seventy pounds would they let you know?—Indeed they would; no doubt of that.

787. Mr. Richard Hall.

12280. Are there many frauds in weighing firkin or lump butter?—I think there are.

12281. What do the buyers charge?—They keep 1*s.* 1*d.* a cask for cranage, and they sometimes cut the price when they say the butter is not first quality; they are their own inspectors.

12282. Would you be in favour of having proper market accommodation, with an efficient staff, and sworn weighmasters, and oblige all produce coming into the town to be sold and weighed there?—Indeed, I think it would be very useful to the public.

12283. Would you object to pay a small charge for the support of such a market?—No; I would pay any thing reasonable.

12284. Would you have all deductions abolished, pay the farmer for every pound of his produce, and let the merchant regulate his prices accordingly?—I would like it very much.

12285. You would not allow buyers to weigh at their own stores?—I would not.

12286. Do you consider the public scales and the sworn weighmaster the fairest test?—Decidedly.

12287. Would you recommend that empty sacks and firkins should always be weighed, and the actual weight deducted?—Certainly.

788. Mr. George Harris.

Mr. *George Harris* examined.

12288. Where do you reside?—Within two miles of the town.

12289. Are you a farmer?—I am.

12290. Do you conceive the market here well conducted?—It is like other markets, and I think all the markets would be the better for regulations.

12291. Have you ever heard complaints of frauds in private stores?—I have heard of them; but the people are always complaining.

12292. Are there no grounds for the complaints?—I do not say that there may not be.

12293. Would you be in favour of having every thing sold and weighed in the public market, at a reasonable charge?—Indeed I would.

12294. You would not object to be obliged to go into such a market?—I think if every thing were done by fair weighmasters, every one should be obliged to go there.

12295. Would you have the farmer paid for every pound of his produce, except the actual weight of the firkin or sack?—I would.

12296. Would you have all produce weighed standing beam, to the pound?—Standing beam would do when the buyer and seller would understand it. I may mention that I detected unfair weighing in Newry; I changed butter from one scale to the other, and found that the beam was unfair, and I think it was taking four pounds to the firkin off, in addition to the five pounds which are allowed. I weigh at home myself, but very few can do that. There are some poor people selling butter who hardly know what tare is taken off the firkin.

12297. Would it not be a good plan to have all the buyers and sellers meet in the market at a certain hour, let a bell be rung, and the market begin?—I think it would be the best thing. I know, from good authority, that there is a great deal of unfair play as regards the fresh butter which is sold here; I think many who are in the habit of dealing in fresh butter, make a great profit in a cheating way. There is no greater evil here than that regarding the fresh butter.

789. Mr. John Boyd.

Mr. *John Boyd* examined.

12298. Where do you reside?—In Castleblayney.

12299. Are you a farmer?—No; an innkeeper.

12300. Do you think there are many frauds here in the markets?—There are; we cannot expect justice where the buyers generally are their own weighmasters, and their own inspectors.

12301. Have you seen any frauds?—I have often seen four pounds taken off the firkin, in addition to the five pounds. If butter is taken out of the firkin, it is crossed as second quality.

12302. Are there any honest buyers in the town?—I cannot say as to that, but I wish there were.

12303. Butter-buying must be a good trade here?—They are all getting rich upon it.

790. Mr. Henry Leech.

Mr. *Henry Leech* examined.

12304. Where do you live?—Two miles out of Castleblayney.

12305. Are you a farmer?—I am.

12306. Do you sell in this market?—I do.

12307. Do you think it is as bad as people say?—I think it is just as bad. I know a person who sold, yesterday, two pounds down weight of butter, and he would only be paid for one pound and three-quarters.

12308. Would you approve of proper, well-arranged public markets, with sworn weighmasters and inspectors?—I would.

12309. Would you object to pay a small charge to support such a market?—I would not, for I think I would make by it; any remedy would be better than the way we are handled here.

CASTLEBLAYNEY, *3rd February*, 1853.

791. Henry M'Mahon, esq.

Henry M'Mahon, esq., examined.

12310. Do you reside in Castleblayney?—Yes; I am manager of the Belfast Bank, here. People have constantly came into me with complaints of frauds in weighing here, and requested me to interfere.

12311. Of course all these frauds are to the injury of the honest buyer as well as the farmer?—Certainly they are.

12312. The prices must be nominally high here?—They sometimes go as high as Newry; the Newry merchants buy here; in fact all the buyers here, expect one, are strangers.

12313. Would you be in favour of having proper well-arranged public markets everywhere?—I would, and have no buying in private stores at all.

12314. Would you have a moderate charge, just sufficient to support the market?—Yes; I think it would be doing a great service to the farmers; the small charges they would have to pay for weighing would be a mere cypher compared with what they lose now.

12315. Would it not be a great benefit to the honest trader as well?—It would; I am sure it would increase the market.

12316. Would you be in favour of an assimilation of weights and measures all over the country?—Decidedly.

12317. Have you ever considered the decimal system?—Yes; it would be very simple. I have seen the decimal system tried in America, and it is found to work very well.

12318. Would you abolish all deductions?—Decidedly.

12319. Would you be in favour of having all fairs removed out of the streets into enclosed fair-greens?—I would.

12320 And have a small charge paid on entering?—Yes. Cattle are frequently sold here before they go into the fair, to avoid the charge; whereas, if they went into the cow-field, they would get better prices.

12321. Do you think the market badly conducted at present?—Very much so.

12322. Is this a large fowl market?—It is. I would say some days £2,000 worth of fowl and eggs are bought here, which are all shipped to Liverpool. In the fowl market there is a great deal of forestalling; people go out and meet farmers coming in, buy the fowl, and sell them at a higher price.

792. Mr. Patk. Branigan.

Mr. *Patrick Branigan* examined.

12323. Where do you reside?—In Castleblayney.

12324. What is your occupation?—I am a corn dealer, and I am employed to stand at the crane in the general market on Wednesday.

12325. If you buy on Wednesday, do you weigh what you have bought yourself?—Yes; but the man who sells stands by and sees the weights.

12326. What do you charge?—One penny for every draught.

12327. Do you keep a book?—No.

12328. Do you give a ticket?—I do.

12329. What do you weigh?—Meal and potatoes; I used to weigh oats, but I do not weigh any now.

12330. Do you buy at the same time?—Sometimes.

12331. Do you not think that a person employed in the market, ought not to be a purchaser?—I think that is according to his conscience. If he is an honest man, I see no reason for any objection.

12332. Does it not give rise to imputations?—Certainly; I do not deny that.

12333. Do any parties complain of your system of weighing?—Not to myself.

12334. What is your system of weighing?—I weigh meal to the pound, if there were five hundred-weight in the draught, and it must touch the ground, but not lie there; two pounds would bring the scales down.

12335. Do you buy meal?—Very seldom.

12336. Do you ever hear complaints regarding butter weighing?—I do, indeed, very often. A man came in this morning and weighed some firkins with me, and when he went to sell them, the buyer would not pay him for the weight, although I could swear I allowed more than the actual weight. The weight was eighty-seven pounds, tare and all, which would allow the seller to be paid for the full weight, but the buyer required two pounds more

12337. Would you be in favour of a properly-arranged public market?—I would be well inclined to it, but I would rather let the system of weights remain as it is; it is better to leave it as the custom of the country is.

793. Mr. James Martin.

Mr. *James Martin* examined.

12338. Do you reside here?—I do.

12339. Are you a buyer?—I am.

12340. Would you object to buy in a public market?—I would prefer buying by such a market; and I would prefer the decimal system to any other.

12341. You do not conceive such a market would be a restriction on trade?—No; it would be better for buyer and seller.

12342. Would you have the farmer paid for every pound of his produce?—I think it would be the fairest way of dealing.

CASTLEBLAYNEY, *3rd February*, 1853.

793.

Mr. James Martin.

12343. Deducting the actual weight of the empty sack or firkin, and nothing more?—Exactly.

12344. Would you have all the officers in the market sworn?—I would.

12345. Do you think it would be a good plan to have the markets commence at a fixed hour by ring of bell?—I do, decidedly.

794.

Mr. Francis Boyle.

Mr. *Francis Boyle* examined.

12346. Where do you live?—In Castleblayney.

12347. What is your occupation?—I buy fowl.

12348. Have you any observation to make?—I think we are robbed by people going out upon the roads and bringing in all the stolen fowl of the country, and when we buy them they are taken out of our crates, although we are not accountable for them at all.

12349. Would you have a proper fowl market established, and oblige all persons to buy and sell there?—I would.

12350. You would not allow it to begin until a regular hour?—Certainly not.

12351. Do you think it would be worth paying a small charge to obtain such a market?—I think so; besides a stranger, coming to a strange place, has no chance; for the people living here have three or four buyers who go out a mile or two upon the roads, and bring in all the fowl.

DUBLIN: Printed by ALEXANDER THOM & SONS, 87, Abbey-street,
For Her Majesty's Stationery Office.

INCUMBERED ESTATES INQUIRY COMMISSION, IRELAND.

REPORT

OF

HER MAJESTY'S COMMISSIONERS

APPOINTED TO INQUIRE INTO

THE INCUMBERED ESTATES COURT,

AND INTO THE

EXPEDIENCY OF CONTINUING IT, OR TRANSFERRING ITS POWERS TO THE COURT OF CHANCERY;

TOGETHER WITH

AN APPENDIX,

CONTAINING

EVIDENCE AND RETURNS.

Presented to both Houses of Parliament by Command of Her Majesty.

DUBLIN:
PRINTED BY ALEXANDER THOM AND SONS, 87, ABBEY-STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

1938

COPY OF THE COMMISSION.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith. To Our Right Trusty and Well-beloved Councillors Maziere Brady, Our Chancellor of that part of Our said United Kingdom called Ireland, Sir John Romilly, Knight, Master or Keeper of the Rolls in that part of our said United Kingdom called England, James Henry Monahan, Chief Justice of the Court of Common Pleas in that part of Our said United Kingdom called Ireland, Francis Blackburne, Abraham Brewster, Our Attorney-General for that part of Our said United Kingdom called Ireland, Our Trusty and Well-beloved Sir Richard Bethell, Knight, Our Solicitor-General for that part of Our said United Kingdom called England, Mountifort Longfield, Doctor of Laws, one of Our Counsel learned in the Law, John David Fitzgerald, Esquire, one other of Our Counsel learned in the Law, and Hugh M'Calmont Cairns, Esquire, Barrister-at-Law, Greeting:

Whereas, We have deemed it expedient, for divers good causes and considerations, that a Commission should forthwith issue to inquire into the state of the business of the Court of our Commissioners for the Sale of Incumbered Estates in Ireland, and to report whether it would be advisable that the same should be continued with any and what modifications.

Now know ye that We, reposing great trust and confidence in your zeal, discretion, and integrity, have authorized and appointed, and by these Presents do authorize and appoint you the said Maziere Brady, Sir John Romilly, James Henry Monahan, Francis Blackburne, Abraham Brewster, Sir Richard Bethell, Mountifort Longfield, John David Fitzgerald, and Hugh M'Calmont Cairns, or any four or more of you to inquire into and report upon the state of the business of the Court of our Commissioners for the Sale of Incumbered Estates in Ireland under the Act passed in the Session of Parliament held in the Eleventh and Twelfth Years of Our Reign, chapter 48, and under the Act passed in the Session of Parliament held in the Twelfth and Thirteenth Years of Our Reign, chapter 77, and of an Act passed in the Session of Parliament held in the Sixteenth and Seventeenth Years of our Reign, chapter 64, and to consider and report whether it would be desirable that the said Court should be continued either permanently or for any and for what period, and whether with any and what additions to, or alterations or modifications in its powers, constitution and procedure, or whether the said Court should be annexed to, or its powers transferred to Our Court of Chancery in Ireland.

And for the better discovery of the truth in the premises, We do by these Presents, give and grant to you or any four or more of you, full power and authority to call before you or any four or more of you, such and so many of the Commissioners Officers and Clerks of the said Court, and all such other persons as you shall judge necessary, by whom you may be informed of the truth in the premises, and to inquire of the premises by all other lawful ways and means whatsoever. And We do hereby give and grant unto you or any four or more of you full power and authority to cause all or any of the Officers and Clerks of the said Court to bring and produce before you or any four or more of you all Books, Papers, or other writings belonging to the said Court, or any of the Officers within the same.

And Our further will and pleasure is, that you do, within one year after the date of this Our Commission, or sooner if the same can conveniently be done (using due diligence), certify to Us in Our Court of Chancery, under the Hands and Seals of you or any four or more of you, what you shall have done in the premises.

And We further will and command, that this our Commission shall continue in full force and virtue; and that you Our Commissioners or any four or more of you shall and may, from time to time, proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And for your assistance in the due execution of this Our Commission We have made choice of Our Trusty and Well-beloved James Anthony Lawson, Esquire, Barrister-at-Law, to be Secretary to this Our Commission, and to attend you, whose services and assistance We require you to use from time to time as occasion shall require.

In Witness whereof We have caused these Our Letters to be made patent.

Witness Ourself at Westminster, the Twenty-third day of November, in the Eighteenth Year of our Reign.

By Warrant under the Queen's Sign Manual,

(Seal.) C. Romilly.

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INCUMBERED ESTATES INQUIRY COMMISSION.

REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Your Majesty having been pleased to appoint us Commissioners to inquire into the state of the business of the Incumbered Estates Court in Ireland, and to consider and report whether it would be desirable that the Court should be continued either permanently or for a limited period, and whether with any additions to, or alterations or modifications in, its powers, constitution, and procedure; or whether it should be annexed to, or its powers transferred to, the Court of Chancery in Ireland; we humbly beg to submit to your Majesty the following Report of the proceedings which we adopted in order to carry out the objects of the Commission, and our opinion upon the several matters referred to us for consideration.

At the commencement of our proceedings we decided on conducting the inquiry by calling for returns from the Incumbered Estates Court to show the state of the business there, and the amount remaining undisposed of; and with a view to the second branch of our inquiry, viz., the expediency of continuing that Court or transferring its powers to the Court of Chancery, we determined to submit written questions to such persons as we deemed competent to assist us by their information and opinion. We reserved to ourselves the power of calling witnesses before us for *vivâ voce* examination, if any necessity for so doing should arise during the progress of our proceedings, but we have not found it necessary to exercise that power. The questions which we issued, and the answers which we received, are all given in the Appendix to this Report.

We have received from the Commissioners and all the officers of the Incumbered Estates Court the most prompt and satisfactory information upon every subject on which we required it, and they have afforded us the utmost facility in the course of our proceedings.

We have also received from the Judicial and other officers of the Court of Chancery, the members of the Bar, and the Law Society, valuable assistance and advice in their answers to the questions which we addressed to them.

We beg leave to refer to the return which we have received from the Incumbered Estates Court, which gives in chronological order the condition of each case still remaining undisposed of, with the dates of the most important steps taken in it, as affording the fullest information not only with respect to the present state, but also the past history of the business of that Court.

We also beg leave to refer to a return which we have obtained from the Taxing Office of that Court, showing the amount of petitioners' costs as taxed, and distinguishing therein the amount allowed for surveys, valuations, and advertisements.

These returns will be found in the Appendix to this Report.

Besides obtaining this information as to the state and progress of its business, we considered it expedient to inquire minutely into the practice and course of procedure adopted in the Court from the commencement to the close of each case, and to invite suggestions as to the expediency of the practice so adopted, and the possibility of altering and improving it. The course of practice will be found fully detailed in the answers of the Commissioners and officers of the Court. Some changes in the practice have been suggested by Members of the Bar, whose opinions we have obtained; we shall have occasion hereafter to advert to the practice and to the alterations which have been suggested.

We now proceed to state the conclusions at which we have unanimously arrived, and the recommendations which we are prepared to make to your Majesty, in order to carry into effect the views which we entertain upon the several important matters referred to us for inquiry.

At the commencement of our proceedings, it became apparent that the most important of the questions which it would be our duty to consider, was that of the propriety of giving to the purchasers of land in Ireland a PARLIAMENTARY OR INDEFEASIBLE TITLE, and that our views upon the other matters referred to us would depend mainly upon the conclusion to which we might arrive as to the expediency of giving such Title to a purchaser under a judicial sale. If the result of our investigation were to establish that it was inexpedient, we felt that we could not then consistently recommend the making permanent an institution of which the power to give such Title was the distinguishing characteristic; and if, on the other hand, we came to a conclusion in favour of the principle of giving such Title, the only question then remaining would be, by what tribunal and under what regulations that object could be most effectually attained.

Hitherto a Court of Equity had not power to secure to a purchaser under its order or decree an indefeasible Title. An expensive investigation of Title, indeed, always took place before the Master, who was supposed to have ascertained before the sale that the Title was a good one; but the result of this investigation was not binding, and the opinion of the Master afforded no protection to the purchaser, who was consequently obliged, at his own expense, to employ a solicitor and counsel not only to repeat in a more rigid manner the very same investigation, but also to examine all the proceedings in the cause, in order to see that it had been regularly and formally conducted, and a valid and binding decree made as against all parties having claims to, or interests in, the lands decreed to be sold. The result to the purchaser was considerable expense and delay, without assurance of the perfect security of the Title he had acquired.

For the first time the Act of the 11 & 12 Vic., c. 48, introduced the principle of giving to a Conveyance by the Court of Chancery the effect of vesting absolutely in the purchaser, discharged of all claims, the Title of the land which it purported to convey to him—the 27th section of that Act having enacted that, "In case the "Assurance so executed shall be a conveyance upon a sale of land under this Act, "the same shall be effectual to pass the land thereby expressed to be conveyed, "and the fee-simple and inheritance thereof, to the uses, and in manner therein "limited and expressed, discharged from all former and other Estates, Rights, "Titles, Charges, and Incumbrances whatsoever of Her Majesty, Her Heirs and "Successors, and of all other persons whatsoever, save and except such Charges "and Incumbrances, if any, as shall be thereby excepted or expressed to be or "to remain charged upon such land, and except, also, as hereinafter provided "for."

This Act is generally known as the "First Incumbered Estates Act." In consequence, however, of the limited nature and character of its provisions, it was not found to work well in practice, and very few proceedings were taken under it. It only empowered the owner having contracted to sell, the first incumbrancer, or an incumbrancer who had the Title Deeds, to apply for a sale, and it did not extend to cases where suits for sale were already pending, unless the consent of the parties to such suits could be obtained. For these, and other reasons which it is unnecessary to enumerate, this Act has had a very limited operation; it is still in force, but suspended by the Act 12 & 13 Vic., c. 77, now generally known as "The Incumbered Estates Act," which not only gave enlarged powers to owners and incumbrancers, but constituted a new tribunal for the purposes of the Act. The 27th section contained a provision similar to that contained in the former Act, giving to a conveyance executed by the Commissioners the effect of vesting the estate absolutely in the purchaser, discharged of all estates and titles whatsoever, in case the estate sold was held in fee; and in case of the sale of a lease making the conveyance effectual to pass the estate created, or agreed to be created, by the lease; it is by virtue of this clause, fortified by the 49th section which makes the conveyance conclusive proof of the regularity of the proceedings, that the conveyance of the Incumbered Estates Court has been treated as giving to the purchaser a Parliamentary or indefeasible Title. It has been suggested that some question may exist upon this point; we see, however, no reason for doubting that the true construction of the Act is that which the Commissioners have put upon it, and which it has generally received, namely, that the conveyance from the Commissioners gives to the purchaser an indefeasible Title. Such was the intention of the Legislature in passing the Act, and it appears to have been fully carried out by the words which they have used.

Appendix, p. 73.

It has been our anxious desire to ascertain how this experiment, which has been now tried for a period of five years, has worked. It would be but reasonable to expect that, if the giving of Parliamentary Title were calculated to produce injury and injustice to individuals, or detriment to the public, some of those results would, already, have become apparent, and that instances would not be few in which such consequences could be pointed out. We were careful, therefore, to invite opinion, and to ask for information on this subject; and, in the papers which we issued, we pointed attention to this question of Parliamentary Title, and our inquiries were directed not less to its practical results than to the abstract question of its fitness and expediency. The evidence exhibits a very general and cordial concurrence of testimony in its favour; with two exceptions, all the witnesses unite in recommending its continuance, and bear testimony to the benefits it has conferred. Only one case has been adduced to us, in which a mistake was made as to a plot of ground; that is the case of *Robinson's estate.* We have ascertained that it merely related to one of those part-and-parcel questions which so often arise, in which the mistake is not as to the Title, but as to the precise boundary of the estate, and the plot was of such little value as not to be worth the expense of ascertaining whether the adverse claim was in reality well founded;* but no instance has been brought before us in which "one man's estate has been sold to pay the debt of another," which is the principal danger apprehended by those who are opposed to the principle of giving Parliamentary Title. The numerous advantages of the system appear to us to be satisfactorily stated by the Law Society, and several of the witnesses, whose evidence will be found in the Appendix.

Appendix, p. 65.

Appendix, pp. 7, 31, 49, 53, 55, 62.

Having then considered the propriety of giving Parliamentary Title, as well in the abstract, as with reference to the practical results of the working of the Incumbered Estates Court in Ireland, we fully approve of the principle, and recommend that it should be perpetuated. We think it highly desirable, as well for the benefit of owners of land as of the public, that the sale and transfer of land should be facilitated. One of the most effectual modes of accomplishing this is by giving to purchasers a Parliamentary Title. We think that the danger of mistake, and consequent injury to the interests of individuals will be very small, under a system requiring and insuring a judicial investigation of the Title, and a due publicity of the proceedings; while the advantages flowing from it are so great as very much to outweigh the consideration of any supposed danger to the rights of individuals; we may also remark, that the system of Registration in Ireland, affords peculiar facilities for perpetuating and extending the principle of giving Parliamentary Title, which will be greatly increased when the Act of the 13 & 14 Vic., c. 72, for the better Registration of Assurances, shall have been brought into operation.

Having arrived at a conclusion in favour of conferring Parliamentary Title, the next question which presented itself was, whether the application of the principle should be limited, as at present, or whether it should be extended to other cases. Its present limits are, First, The estate must be incumbered. Secondly, It cannot be sold without the consent of the owner unless it be incumbered to one-half its amount, or be under a Receiver; Thirdly, The jurisdiction is confined to estates in fee, leases in perpetuity, and leases of which sixty years are unexpired.

As regards the first, it appears obviously unjust that a benefit should be conferred by the Legislature upon the owner of an incumbered estate which is not extended to an unincumbered proprietor; it is conceded that the power of selling with a Parliamentary Title enhances the market value of an estate; and it seems anomalous that a person who has been improvident enough to incumber his estate, should thereby obtain an advantage which is denied to the prudent unincumbered proprietor. We have framed questions to elicit opinion and information on this point, and the result of the evidence is, that almost all the witnesses concur in thinking that an unembarrassed proprietor is entitled at least to as favourable a position in this respect as an embarrassed one.

If, however, there were any doubts as to the propriety of conferring the same privilege on the owner of an unincumbered estate as the law at present affords to an incumbered proprietor, one consideration ought, in our judgment, to be decisive. It appears from the evidence of several witnesses, and is, indeed, we

* Mr. Robinson gave up the point to avoid the expense of contesting it, and the claimant accepted £25 in full for costs and compensation.

believe, matter of public notoriety, that charges, to a certain extent fictitious, are now constantly created upon estates, for the purpose of enabling the proprietor to sell them through the instrumentality of the Incumbered Estates Court, and thus give a Parliamentary Title.

We think, therefore, that the owner of an unincumbered estate should be enabled to do directly what he now can do indirectly; that he should be entitled to present a petition, praying for the sale of his estate, and that, if the title be found satisfactory on a judicial examination of it, a sale should take place, as now in the case of an incumbered estate. We also think, that in any case where an owner has contracted out of court to sell his estate, he ought to have power to make such contract subject to the condition of giving a Parliamentary Title; and if, on a similar investigation of the Title, it be found satisfactory, we think that a Parliamentary Title ought to be given to the purchaser. The first Incumbered Estates Act contained in its second section a provision of this nature, but limited to the case of land subject to an incumbrance.

With respect to the second limit, namely, that which restricts the right of an incumbrancer to force a sale unless the property be incumbered to half its value, or be under a Receiver, we recommend that such restriction should be altogether removed, its continuance being incompatible with the recommendations hereinafter contained.

With respect to the third limit, which makes the right of sale depend upon the tenure of the lands, we think that it also should be removed, and that the jurisdiction should be extended to all lands, whatever may be the extent of the interest or tenure by which they are held.

The effect of giving a Parliamentary Title to any class of lands exclusively is twofold: first, to enhance the value of the estates to which it is attached; and, secondly, to depreciate the value of those from which it is withheld. Since the passing of the "Incumbered Estates Act" in Ireland, the incumbrancers on those lands held for interests exempt from its jurisdiction, could only enforce a sale through the medium of the Court of Chancery, which must have diminished the value of them. We see no valid reason for excluding any estate in lands from the benefit which a Parliamentary Title confers, and we therefore recommend that the jurisdiction to confer such title be extended to all estates unincumbered as well as incumbered.

With regard to leasehold interests, the Incumbered Estates Commissioners only convey to a purchaser the interest in the lease, not warranting its validity, as against the landlord. We do not think it necessary to enlarge this power—to enable the Court to give a warranty of title as against the landlord upon the sale of a tenant's interest might lead to injustice.

The practice of the Commissioners has been to investigate minutely all titles brought before them for sale, and to refuse a sale when the title appeared to be defective, as, for instance, when the estate is liable to be defeated on the happening of some contingency: this has prevented the sale of estates by the Incumbered Estates Court, in many instances where the party seeking it had a clear right to enforce one, according to the practice of Courts of Equity in Ireland; in such cases we think that the tribunal intrusted with this jurisdiction, in cases where an absolute Parliamentary Title cannot be given, should be empowered to sell the land with such qualified title as the case may demand, such qualification to be expressed in the conveyance.

We have not considered it within our province to inquire into the present state of the laws which regulate landed property, or to suggest any change in them with a view to facilitate its sale and transfer; but whether those laws shall remain unchanged, or undergo revision, we consider the giving of Parliamentary Title upon sales a most important step in the right direction, and greatly calculated to increase the value, and secure the enjoyment of real estate. We are aware that another Royal Commission has been issued for the purpose of inquiring "into the registration of title with reference to the sale and transfer of land;" and it has been suggested to us that it might be better to continue the powers of the Incumbered Estates Court until the Report of those Commissioners shall have been made. We think, however, that our recommendations cannot clash with or be affected by the result of that inquiry. A considerable time must elapse before any extensive changes in the law of real property, if such should be recommended by those Commissioners, can be brought into actual operation; and, we think that estates in Ireland should not, in the

Appendix, p. 74.

meantime, be deprived of the advantage of sale with Parliamentary Title, which has now been enjoyed for more than five years. If the result of that Commission shall be such a simplification of the law as to enable the owner of an incumbered or unincumbered estate to confer an indefeasible Title by private sale, the consequence will be that the Court which has the jurisdiction of selling with Parliamentary Title, will have a much easier duty to discharge than it has under the present state of the law of real property; but the power to give an indefeasible Title, in cases of adverse sale, must still be vested in the Court, otherwise the public will not reap the full benefit of the reform. We may also observe, that in proportion to the number of estates possessing a Parliamentary Title, will be the facility for carrying into effect any plan for the registration of title to land; and we therefore conceive that the adoption of our recommendations may assist, and cannot impede, the attainment of a result which all must admit to be most desirable, namely, the simplification of titles, and the cheap and ready transfer of land.

Having come to the conclusion that a tribunal invested with the powers we have described should be made permanent in Ireland, the next question which presents itself is, whether the Incumbered Estates Court should be continued and made permanent, or whether its powers should be transferred to the Court of Chancery, and upon this point we recommend that the Incumbered Estates Court should not be continued, but that its powers should be transferred to the Court of Chancery, subject, however, to the introduction into that Court of the alterations which we shall suggest.

In order to explain our reasons for arriving at this conclusion, it will be necessary to advert to the circumstances connected with the establishment of the Incumbered Estates Court, and the present state of its business.

The Court was established to supply an urgent want, and to relieve the great distress occasioned by successive years of famine, which had then almost overwhelmed the landed interest in Ireland. It is now generally admitted that it was a necessary measure at that time, and the results of the experiment demonstrate the wisdom and sagacity of those with whom it originated. At that period there was great difficulty in effecting sales in the Court of Chancery: and this, as well as the general distress, in a great measure stayed the further prosecution of creditors' suits, and placed a vast amount of property under the control of Receivers of that Court. In the meantime, nominal proprietors were unable to discharge the duties incident to the position of the owner of an estate, and creditors were suffering from the withholding both of principal and interest. It was manifestly essential to the public welfare that the mass of incumbered estates should be taken out of the hands of proprietors who had little interest in their proper management, and of Receivers who had none, and that, whether the produce of the estate were sufficient or insufficient to pay the charges upon it, it should be sold discharged of all the incumbrances. A review of the proceedings of the Court will show, that it has fulfilled the object for which it was created; under its process a great number of the heavily incumbered estates have passed into the hands of other proprietors, and the number of insolvent estates now brought into the Court is very small.

It appears that the number of petitions presented since the institution of the Court, to the last day of December, 1854, has been 3,405; that in 1,448 of these sales have taken place, and that the gross amount produced by those sales has been £14,133,105 19*s.* 10*d.*

The number of petitions presented in each year was as follows:—

In 1850,	1,200
1851,	627
1852,	488
1853,	453
1854,	372

These figures show, that at the commencement there was a very great pressure of business in the Court, arising no doubt from the peculiar circumstances of the country to which we have adverted, and the following table will show the change which has taken place in the character of the business:—

The number of owners presenting petitions in the first 100 petitions filed in the Court, was,	6
The number of owners presenting petitions in the last 100 petitions filed in Court,	51

Number of matters in which the owners were bankrupt or insolvent in the first 100 petitions filed, ... 13
Number of matters in which the owners were bankrupt or insolvent in the last 100 petitions filed, ... 3

We may infer from these figures, that the more recent petitions have been in general presented by those desiring to sell their estates to more advantage by obtaining the benefit of a Parliamentary Title, rather than by persons driven into Court by the pressure of creditors.

It may be reasonably expected that proceedings of this character will be likely to continue and to be permanent, and that as long as the advantages of a quick sale and Parliamentary Title exist, the public will avail themselves largely of them in the sale and transfer of landed property. In fact, as appears from the statements of some of the witnesses, the public at present evince a disinclination either to lend or purchase except upon the security of such a Title; and this feeling, which may be expected to become more general, will probably cause all sales and loans of any magnitude, where such a Title has not yet been given to the estate, to be ultimately effected through the machinery of a tribunal empowered to confer it.

The pressing necessity which called the Incumbered Estates Court into existence having now comparatively ceased, there seems no adequate reason for the continuance of an extraordinary tribunal to dispose of business which we think can be as well transacted by the ordinary tribunals. In making this recommendation we are not in any respect departing from the principle on which the Incumbered Estates Court was established; it was created only for a limited period, and its arrangements were of a temporary nature; the Chief Commissioner of the Court was called away at intervals from his place in the Court of Exchequer to preside over the new tribunal; the staff of the Court was only employed as its business increased, and rendered additional assistance necessary; and no fixed place was provided at first for the sittings of the Court. The inconvenient situation in which it is placed has given rise to many well-founded complaints; and it is to be regretted that a Court transacting business of such importance has been obliged to hold its sittings in a place remote from the other Courts, and inconvenient to the legal profession. The Court thus constituted was, under the circumstances, necessarily continued by successive Acts of Parliament; but we are of opinion, that the principle of prolonging the existence of any Court from time to time, by Acts of Parliament, is one not to be approved of; neither do we think that the public interest would be promoted by suffering a Court to continue merely for the purpose of discharging its arrear of business. There seems, therefore, no alternative but either to establish the Incumbered Estates Court as a permanent tribunal, or to transfer its powers and business to the Court of Chancery, as soon as the legislation and consequent arrangements requisite for that purpose can take place.

We have already assigned some reasons for not continuing the Incumbered Estates Court as a permanent tribunal, others may be stated.

In the course of a proceeding for the sale of an estate and the distribution of the purchase money, questions may and do arise which grow out of equities between the parties, and which it is the peculiar province of a Court of Equity to decide: most of these the Commissioners have been necessarily compelled to determine, but in some they have left the parties to assert their rights in the Court of Chancery. It is most important that the Judge who has the conduct of the case should be able to decide every question which may arise in it, with the ordinary right of appeal; and, by transferring the powers of the Incumbered Estates Court to the Court of Chancery, the latter tribunal will generally be able satisfactorily to decide all the questions which can arise in the progress of the cause.

The amount and state of the business in the Incumbered Estates Court demonstrate that it would be necessary, if that Court were continued, to make considerable alterations. In the first place, it should be removed from its present situation; and the quantity of business remaining undisposed of is such, that, in order to carry it on with safety and with reasonable dispatch, it would be absolutely necessary to provide an additional staff, probably judicial, certainly ministerial.

The amount of the business was originally so great, and the staff employed so inadequate, as to cause the existing arrear; the number of cases not yet wound

up is 1,633, being nearly one-half of the entire number brought into the Court. In 307 only of these 1,633 cases, sales have taken place, and the settling of the final schedule, which is the most important stage, in only 216; so that, irrespective of the accruing business, there remain 1,300 cases in which sales are yet to take place, and 1,400 cases in which final schedules have not yet been settled, leaving about one-third of the business undisposed of. The effect of this pressure in retarding the dispatch of business may be estimated from the fact shown by the returns, that the average period which now elapses between the presenting of a petition and the settlement of the final schedule, is about three years.

For the reasons we have mentioned, we are of opinion that the Incumbered Estates Court ought not to be continued; and we recommend that all its powers shall cease on some certain and early day, and that thereupon its jurisdiction shall be transferred to the Court of Chancery in Ireland, together with the cases then remaining undisposed of.

We feel, however, that we should very imperfectly discharge the duty entrusted to us, if we merely recommended this transfer without regarding the terms and conditions upon which it can be safely made, so as to insure, as far as possible, the same facility for the dispatch of business in the Court of Chancery which exists in the Incumbered Estates Court, and to adapt it to the efficient performance of the new functions with which we propose that it shall be entrusted.

The course of practice and procedure adopted in the Incumbered Estates Court has worked well, and given general satisfaction. So far as relates to the sale of estates and the proceedings incident thereto, we cannot suggest any improvement in it. Of the proceedings for the distribution of the purchase money, it has been suggested, and, we think, with reason, that a more formal record ought to be kept, a fuller opportunity allowed for making written objections, and a more careful supervision exercised with respect to unopposed claims. We recommend, therefore, that the same general course of practice and procedure be adopted in the Court of Chancery with respect to all sales in that Court, and that in the framing of General Rules for the regulation of the Court of Chancery the existing practice in the Incumbered Estates Court be substantially adopted, with the alterations suggested in this Report.

In addition to the conferring Parliamentary Title, the peculiarities in the mode of procedure which chiefly recommend the practice of the Incumbered Estates Court are:

1. That the same Judge has the entire conduct of the case in all its stages, subject to a cheap and ready appeal from his decision.

There is, indeed, a Master in the Incumbered Estates Court, but the power of making references to him has been very sparingly exercised by the Commissioners; and both they and the Master concur in opinion that such references ought not to be made, but that all inquiries and accounts connected with each case should be disposed of by the Judge himself, assisted by a Clerk under his immediate superintendence, and acting according to his directions; thus dispensing, as far as possible, with the necessity of communicating through the medium of written orders and reports. The Commissioner himself reads the abstract, directs the searches, and satisfies himself that no act appears upon them which invalidates the Title, his Clerk or Examiner compares and verifies the deeds, but the Commissioner himself pronounces his judicial opinion as to the validity of the Title, and upon his responsibility the sale takes place: the consequence is, that he is familiar with the case in all its subsequent stages; and when objections are made by a purchaser, or the rights and priorities of parties interested are discussed upon the distribution of the funds, it is not necessary to state the case to him again in detail, as it would be to a Judge who had been previously unacquainted with the cause: thus the business is dispatched with greater promptness, and without those technical difficulties which are incident to a system proceeding by references and reports.

2. There is an immediate sale, with a simple form of conveyance, upon the execution of which possession is forthwith given to the purchaser.

3. The proceedings are exempt from fees and stamps, and the forms are simple and unincumbered by technicalities.

By whatever tribunal the jurisdiction to sell and give Parliamentary Title may be exercised, we think that it is absolutely necessary that these advantages should

be preserved, and consequently that before the transfer of the jurisdiction of the Incumbered Estates Court to the Court of Chancery, the constitution and practice of the latter Court must be remodelled; and for that purpose we recommend the following alterations:—

That the office of Master of the Court of Chancery be abolished. This has been done in England, under the 15 & 16 Vict., c. 60; and we recommend that the change in this country should be carried out in an analogous manner; that vacancies in the office of Master should not be filled up; that no references should, for the future, be made; but that the Masters should wind up the business at present in their offices, and be released from the performance of their duties as soon as that business is completed, or at such times as the Lord Chancellor may direct.

The system of Receiverships in Ireland is peculiar, and an officer will still be required to control and regulate the conduct of Receivers, and to audit their accounts, as well as to superintend the management of the estates of lunatics and minors. We recommend that one of the present Masters be retained for that purpose.

In the place of the Masters, whose office we thus propose to abolish, we recommend that two Vice-Chancellors be created, and that the Lord Chancellor, the Master of the Rolls, and the two Vice-Chancellors, should be the Judges of the Court of Chancery.

In order to carry out the principle to which we have adverted, of entrusting each case throughout to a single Judge, being that now adopted in the Court of Chancery in England, the Master of the Rolls and the Vice-Chancellors should each have the entire conduct and responsibility of every cause or matter in their respective Courts, from its commencement to its termination, subject to the right of appeal; and should discharge the duties at present performed by the Incumbered Estates Commissioners, save that the actual sales by auction should take place before an officer to be appointed for that purpose.

In order to assist the Master of the Rolls and the Vice-Chancellors in the discharge of their duties, we are of opinion that each should have attached to his Court two Chief Clerks and two Junior Clerks—who should be appointed by the Judge, as he is the person responsible for the due performance of their duties, and should hold their office until removed—they should perform such duties as may be enjoined by the Judge, and should be under his control. Each Judge should have the power of removing any of the Clerks in his own Court, for cause to be expressed in the order to be made for that purpose, and such Clerks should be removable, without assigning any cause, by the three Judges, or by any two of them, of whom one should be the Judge to whose Court he is attached.

The Clerks being under the immediate control and superintendence of the Judge, should submit to him all matters of difficulty, and communicate personally with him, without the necessity of making reports or orders. If this be not carefully attended to, the office of Clerk may, in course of time, become like that of Master, a result to be guarded against; this will be most effectually done by taking care that as far as possible, the business shall be treated as having been performed by the Judge himself, although the details have been carried out by Clerks.

The appeal from the Commissioners of Incumbered Estates Court to the Privy Council has hitherto given very general satisfaction, and all the witnesses concur in pointing out the value of such an appellate tribunal; there is only one matter connected with it of which we cannot approve, namely, the power vested in the Commissioners of allowing or refusing an appeal, which should be given to the suitor as a matter of right. In recommending the transfer of the jurisdiction to the Court of Chancery, it becomes necessary to consider whether the same appellate tribunal ought to be continued, and if not, what other can be substituted; as it would be very inexpedient to deprive the suitor of the right of appeal to a tribunal in Ireland, and leave him only an appeal to the House of Lords. We are, however, of opinion that the Privy Council ought not to be the permanent Court of Appeal: it is a fluctuating body, there is no obligation upon its members to attend, and if, as is probable, the appeals should become numerous, it is to be feared that it could not at all times be relied upon as constituting an adequate appellate tribunal. We are convinced that the establishment of a Court of Appeal, affording facility to the suitor of having his case promptly reconsidered,

is absolutely essential to the proper working of a tribunal giving Parliamentary Title. In a very great majority of cases an appeal to the House of Lords is, from its expensive character, quite beyond the reach of parties, especially where the property is small. We have, however, no intention of recommending any interference with the right of appeal to the House of Lords; but, considering the powers proposed to be conferred upon the Court of Chancery, we think that an appellate tribunal in Ireland is also necessary. We have very much considered how this appellate tribunal should be constituted. At present the appeal in Chancery is from the Master to the Master of the Rolls or the Lord Chancellor, from the Master of the Rolls to the Lord Chancellor, and from him to the House of Lords. In our opinion an appeal from one Judge to another Judge sitting alone is not satisfactory. We were at first disposed to recommend that the Court of Appeal should consist of three of the Judges of the Court, but we are satisfied that to withdraw from the discharge of the duties of their own Court either the Master of the Rolls or the Vice-Chancellors, for the purpose of hearing appeals, would inconveniently impede the business of their Courts. We have arrived at the conclusion that the Court of Appeal should consist of the Lord Chancellor and an additional Judge, and that the suitor should have a right of appeal to that tribunal from every decision of the Master of the Rolls and the Vice-Chancellors. A Court of Appeal, consisting of two Judges, has this advantage—that in every case there will be at least two opinions in support of the decision; if the Court of Appeal be divided in opinion, the order of the Judge below will stand unreversed. We recommend that the second Judge of the Court of Appeal should be nominated by Her Majesty, and should be selected, in the first instance, from the Ex-Chancellors of Ireland; or, if there be no Ex-Chancellor eligible or willing to accept the office, that such additional Judge should be selected from amongst the Common Law Judges for the time being; or in case it should be considered necessary to have a permanent Judge for this purpose alone, that a Lord Justice be specially appointed by Her Majesty. In case an Ex-Chancellor or a Common Law Judge be appointed to the office, we contemplate that there should be such an increase of salary and rank as will induce him to accept it. In recommending the nomination of a Common Law Judge, we have assumed that he will be able to discharge the duties thus thrown upon him in addition to his own, but if the number of appeals shall prove to be such as to render that impracticable, then it would be expedient to appoint a Lord Justice. This will provide an appellate tribunal in Ireland for all cases, save those originally heard and decided by the Chancellor sitting alone: after the most anxious consideration we find ourselves unable to suggest any fitting tribunal for the re-hearing of such cases in Ireland; and we are therefore of opinion that they must continue to be brought, as heretofore, before the House of Lords.

These alterations in the constitution of the Court of Chancery, as well as the transfer of the jurisdiction, can only be carried out by an Act of Parliament; but the details of the procedure must be regulated by General Rules. The rules should be framed by the four Judges of the Court, or, in case they differ, by any three of them, of whom the Chancellor should be one. Such rules should, as nearly as possible, follow the present practice of the Incumbered Estates Court, with respect to proceedings for sale; and in the regulation of the general practice of the Court they should conform to the practice in the English Court of Chancery. We think it for the interest of the public and the profession, that the English and Irish Court of Chancery should be assimilated in their practice as closely as circumstances will permit, so that the decisions of each may be applicable to both, and thus tend to establish a uniform system in the two countries.

With respect to the present system of taking evidence in the Court of Chancery, which is almost exclusively by affidavit, we recommend that it be altered and the English practice introduced. We think that the system of making proof by affidavit is a very convenient one, and the least expensive; but, in order to effectuate justice, it should be subject to some check and control. We propose, therefore, in addition to the now existing power of *viva voce* examination before the Court, that wherever a witness refuses to make an affidavit it shall be in the power of the party requiring his evidence to summon and examine him before one of the Examiners of the Court, or a special Examiner appointed for that purpose; and that when a witness has made an affidavit it shall be in the power of any other party in the cause or matter to compel him to attend for the purpose of

viva voce cross-examination, upon giving notice for that purpose. The adoption of this practice in England has been found to afford a salutary check against the making of improper and uncandid affidavits.

A main cause, in the opinion of all the witnesses, of the successful operation of the Incumbered Estates Court is—the exemption of its proceedings from fees and stamps. To tax the suitor for the maintenance of courts of justice is unsound in principle, and in its practical operation extremely injurious. This opinion is in exact conformity with the view of the English Common Law Commissioners, as stated in their Report of the Session of 1851, in which they recommend the abolition of all fees by the suitor, a recommendation, the propriety of which is, we believe, acquiesced in by all those who have considered the subject, although considerations of finance have been hitherto allowed to interfere with its universal adoption. When, however, it is proposed that a Parliamentary Title should be given, it becomes peculiarly necessary that the proceedings which are to produce that result should be exempt from fees and stamps. The best safeguard against the danger of overlooking or defeating the rights of absent parties, a danger necessarily incident more or less to the proposed system, will be provided by giving the utmost possible publicity to all the proceedings, and by affording to every person complete facility of access to the documents, and of procuring information without incurring any expense, and without the necessity of resorting to professional assistance. This has been fully accomplished by the practice of the Incumbered Estates Court. The petition, the schedule, and other important documents which show the rights of all parties, and the manner they are dealt with, are kept in a public office, to which all persons have access, and in which those documents can be inspected without charge. Of this power the public have largely availed themselves, and the result has been in many cases as well to apprize parties of their rights and enable them to put them forward, as to save them from incurring useless expense, by satisfying themselves that their supposed claims were not sustainable. The case is different in Chancery: payment must be made for the inspection of documents; copies can only be obtained at great expense, and from the technical character of the proceedings it is practically impossible for any non-professional person to acquire accurate information as to the state of a cause or matter, and the allegations put forward in it, without employing a solicitor, and incurring considerable cost; this frequently deters persons from making inquiries unless they have a very confident opinion that the result will be the establishment of their rights. We cannot, therefore, recommend the entrusting to any Court the power of giving Parliamentary Title, unless its proceedings shall be exempted from charges which impede inquiry and prevent publicity; and we are convinced that the consequence of imposing such charges would be dangerous in the extreme. In addition to other causes, the existence of fees and stamps on proceedings in Chancery has been, we believe, a main cause of the delays which existed in that court; clients and solicitors were reluctant, and often unable to incur the heavy expenditure required at every step; and if the opposing party were an obstinate and experienced litigant, he had it in his power so to conduct the proceedings as to lead to considerable expense and vexation. The costs in Chancery have been very considerably reduced, and the delays of the proceedings diminished, by the operation of the Chancery Regulation Act; but the stamps and fees form still a large item of expense.

It would obviously be inexpedient to make any distinction in respect of charge between different modes of proceeding in the same Court, and we therefore recommend that, concurrently with the proposed change, the fees and stamps upon all proceedings in Chancery be abolished, or reduced to such an amount as not to interfere with the due dispatch of business, or prevent the full publicity of the proceedings.

With respect to the comparative amount of expense in Chancery and in the Incumbered Estates Court, we are of opinion that if the former Court be remodelled and altered, as we have suggested, the necessary costs of proceedings there ought not to be greater than they have been in the latter Court. It appears from the return, which will be found in the Appendix, that in the Incumbered Estates Court the taxed costs of petitioners, or parties having the carriage of proceedings up to the present time, amount to £254,707 1*s.* 6*d.*—which includes a sum of £28,960 16*s.* 1*d.* allowed for surveys and valuations. Many of the witnesses say that the expenditure under this latter head has been too great, and

we think that it may be considerably curtailed in future without detriment to the sale of the estates.

We think it right to add that the Taxing Department of the Incumbered Estates Court has been conducted with great efficiency; but it will appear from the returns of the corresponding department in Chancery, that there is a considerable arrear there, and that some assistance ought to be provided and some new arrangements made to insure the more prompt taxation of costs.

In order further to insure publicity and due expedition in the discharge of business, we recommend that a careful record be kept of the progress of business in the Court, and that each Judge and officer should annually make returns of the state and dispatch of business before him to the Lord Chancellor. We are further of opinion, that it should be considered to be the duty of each Judge, when the proceedings in any cause or matter are not conducted with due dispatch, to investigate the cause of the delay, and, where necessary or expedient, to oblige the parties to proceed with diligence and expedition.

The changes which we have recommended will, if carried out, impose many new and onerous duties both on the Judges and the officers of the Court; and as much of the business at present discharged by the officers will become unnecessary under the new arrangements, we recommend, in order to the effectual working of the Court, and the due apportionment of the business, that the Lord Chancellor should be invested with the power to direct any officer of the Court, save the Clerks attached to the Courts of the Master of the Rolls and Vice-Chancellors, to discharge such new duties as he may think expedient. In addition to the staff at present employed in Chancery, officers will be required to carry on the new business which will devolve on the Court; and we recommend the transfer of the powers and business of the Incumbered Estates Court to the Court of Chancery, in the reasonable expectation that those officers of the Incumbered Estates Court, who have efficiently discharged their duties there, and from experience have become familiar with the practice and the details of business, will, so far as may be practicable and necessary, be transferred to, and made officers of, the Court of Chancery.

It will be indispensable to erect suitable buildings contiguous to the Four Courts, for the accommodation of the new judges and officers; and the title deeds and documents at present deposited in the Incumbered Estates Court ought to be transferred to the Court of Chancery, and kept there with the records of that Court, with power to persons interested to inspect them, on obtaining permission for that purpose.

The following is a summary of the recommendations which we respectfully submit to your Majesty.

1. That a Parliamentary Title should be given to purchasers upon the transfer of land in Ireland under judicial sales.

2. That the jurisdiction to give Parliamentary Title should be extended to all estates, as well unincumbered as incumbered, by whatever tenure they may be held, provided the title be submitted to judicial investigation and found satisfactory.

3. That in case the tribunal empowered to confer such Title shall be of opinion, that a complete Parliamentary Title ought not to be conveyed, it should have power to convey a qualified Parliamentary Title, such qualification being expressed in the deed of conveyance.

4. That this jurisdiction should be vested in the Court of Chancery in Ireland, and that thereupon the Incumbered Estates Court should cease to exist, and all its powers be vested in, and its business transferred to, the Court of Chancery.

5. That the office of Master of the Court of Chancery be abolished, in a manner analogous to that provided by the 15th and 16th of the Queen, chap. 60; subject, however, to the continuance of an officer for the purpose of controlling and regulating the management of estates by Receivers, and for passing Receivers, Guardians, and Committees' accounts.

6. That the Court of Chancery should consist of the Chancellor, the Master of the Rolls, and two Vice-Chancellors, who are to be the Judges of that Court.

7. That a Court of Appeal should be constituted, consisting of the Lord Chancellor and an additional Judge; such Judge to be selected from the Ex-Chancellors, or, if there be none eligible to that office, or willing to accept it, from amongst the Common Law Judges for the time being, to be nominated for that purpose by your Majesty, or in case it shall be thought necessary, such ad-

ditional Judge to be specially appointed by your Majesty, and to be the Lord Justice of the Court of Appeal.

8. That the Master of the Rolls and the two Vice-Chancellors should each have the entire conduct and responsibility of each cause or matter in their respective Courts, from its commencement to its termination, subject to the ordinary right of appeal.

9. That the Master of the Rolls and the two Vice-Chancellors should each have attached to their respective Courts two Chief Clerks and two Junior Clerks; that such Clerks should be appointed by the Judge of the Court, and should hold their office until removed; that it should be in the power of each Judge to remove any of the Clerks in his own Court, for cause to be expressed in the order to be made for that purpose; and that such Clerks should be removable by the three Judges, or by any two of them, of whom one should be the Judge to whose Court he is attached, without assigning any cause.

10. That the practice of the Court of Chancery as to the sale of estates should be regulated by General Rules, and be assimilated, as far as possible, to the present practice and procedure of the Incumbered Estates Court.

11. That such General Rules should be made by the Lord Chancellor, the Master of the Rolls, and the two Vice-Chancellors, or any three of them, of whom the Chancellor should be one; and that the same be required to be laid before both Houses of Parliament.

12. That in all causes and matters, where a witness refuses to make an affidavit, or where a witness has made an affidavit, it should be in the power of any party to such cause or matter to examine or cross-examine such witness *viva voce* before one of the Examiners of the Court of Chancery, or before an Examiner to be specially appointed for that purpose; and that the practice, as at present established in the Court of Chancery in England for this purpose, should be extended to the Court of Chancery in Ireland.

13. That each Judge and officer of the Court of Chancery should annually make returns of the state and dispatch of business before him to the Lord Chancellor.

14. That it should be the duty of the Judge, when the proceedings in any cause or matter are not conducted with due dispatch, to call upon the parties to explain the cause of the delay; and that the Judge should be invested with compulsory powers to expedite the cause or matter.

15. That stamps and fees upon all proceedings in Chancery should be abolished, or reduced so much as not to interfere with the dispatch of business or the publicity of the proceedings.

The recommendations which we have submitted involve important changes, and will, if adopted, require to be carried into effect with great care. They are not, however, without precedent or authority; and we believe, that if worked out in their true spirit, they will not only facilitate the sale and transfer of land, but also tend to the better administration of justice.

All which we humbly submit for your Majesty's gracious consideration.

Witness our Hands and Seals this Twenty-first day of May, 1855,

MAZIERE BRADY, *C.* (*Seal.*)
JOHN ROMILLY. (*Seal.*)
JAMES HENRY MONAHAN. (*Seal.*)
FRANCIS BLACKBURNE. (*Seal.*)
A. BREWSTER. (*Seal.*)
RICHARD BETHELL. (*Seal.*)
MOUNTIFORT LONGFIELD. (*Seal.*)
J. D. FITZGERALD. (*Seal.*)
H. M. CAIRNS. (*Seal.*)

JAMES ANTHONY LAWSON, *Secretary.*

PROCEEDINGS OF THE COMMISSION.

The Commissioners held their first meeting this day, the 30th December, 1854, at the Council Chamber, Dublin Castle.

Present:

The Lord Chancellor,
Chief Justice Monahan,
The Right Hon. Francis Blackburne,
The Attorney-General,
Mountifort Longfield, LL.D., Q.C.,
John D. Fitzgerald, Esq., Q.C.
James A. Lawson, Secretary.

The Secretary read Her Majesty's Commission.

The Secretary stated that he had sent notices, on the 23rd instant, of the time and place of meeting to Sir John Romilly, Sir Richard Bethell, and Hugh M'C. Cairns, Esq.

The subject matter of the inquiry was then considered by the Commissioners, and it was

Resolved,

That the Secretary do prepare drafts of the following Papers, in conformity with the suggestions this day made by the Commissioners, and transmit same when prepared to each of the Commissioners, in order that they may be submitted for approval at the next meeting:—

1. Paper of Questions to be sent to the Commissioners of the Incumbered Estates Court, as to the state of the business, and as to the practice of the Court.
2. Form of Return of the state of the several cases now pending in the Court.
3. Paper of Questions to be sent to the several officers of the Court as to the nature of their duties.
4. Form of Return of Appeals from the Privy Council Office.

Tuesday, 9th January, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
Chief Justice Monahan,
The Right Hon. Francis Blackburne,
Mountifort Longfield, LL.D., Q.C.,
John D. Fitzgerald, Esq., Q.C.,
James A. Lawson, Secretary.

The Secretary read the minutes of the last meeting.

The Secretary read a letter received from Mr. Cairns, and dated the 29th December.

The drafts No. 1, 2, 3, and 4, prepared in pursuance of the resolutions of the last meeting, were then read.

Drafts No. 1, 2, and 3 were approved of, and the Secretary was directed to transmit the questions accordingly, and to embody Draft No. 4 in a letter to Theobald M'Kenna, Esq., Clerk of the Privy Council. It was

Resolved,

That the Secretary do prepare drafts of the following Papers, in accordance with the suggestions this day made by the Commissioners, and transmit same to the Commissioners, for approval at the following meeting:—

1. Paper of Questions to be submitted to the Law Society through their Secretary to obtain the opinion of that body upon the several matters suggested.
2. Questions to be submitted to the Masters of the Court of Chancery.
3. Questions to be submitted to Barristers upon the several matters this day suggested.

The Secretary was directed to apply to Colonel Larcom for an order to place £100 at the disposal of the Commissioners, for incidental expenses of the Commission. It was

Resolved,

That the Commission do meet on each Monday, at half-past three o'clock, until further notice.

Monday, 15th January, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
Chief Justice Monahan,
The Right Hon. Francis Blackburne,
The Attorney-General,
Mountifort Longfield, LL.D., Q.C.,
John D. Fitzgerald, Esq., Q.C.,
James A. Lawson, Secretary,

The Secretary read the minutes of the last meeting.

The Draft Paper No. 5, prepared in pursuance of the resolutions at the last meeting, was read and approved of by the Commissioners, and the Secretary was directed to transmit same to the Secretary of the Law Society. Draft No. 6, prepared in pursuance of like resolution, was read by the Commissioners and approved of by them as altered, and the Secretary was directed to transmit same to the Masters of the Court of Chancery. Draft No. 7 was then read and approved of by the Commissioners as altered, and the Secretary was directed to transmit same to the following members of the Bar:—

Rickard Deasy, Esq., Q.C.,
B. C. Lloyd, Esq., Q.C.,
Charles Rolleston, Esq., Q.C.,
Patrick Blake, Esq., Q.C.,
Hamilton Smythe, Esq., Q.C.,
Edmund Hayes, Esq., Q.C.,
Robert Longfield, Esq., Q.C.,
Alexander Norman, Esq.,
James Rogers, Esq.,
W. B. Drury, Esq.,
R. R. Warren, Esq.,
D. Sherlock, Esq.,
Edmund B. Lawless, Esq., and
William Smith, Esq.

Draft No. 8, being a Form of Return as to costs in the Incumbered Estates, was then read and approved of by the Commissioners as altered, and the Secretary was directed to transmit same to Henry Carey, Esq. It was

Resolved,

That in order to allow time for receiving answers to the questions which have been prepared, the further meeting of the Commissioners be adjourned to Monday, the 5th day of February, unless, in the meantime, any communication shall be received which may render it expedient to call a meeting.

Monday, 5th February, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
Chief Justice Monahan,
The Right Hon. Francis Blackburne,
The Attorney-General.
Mountifort Longfield, LL.D., Q.C.,
James A. Lawson, Secretary.

The Secretary read the minutes of the last meeting.

The Secretary reported that he had, in pursuance of the resolutions of the Commissioners, transmitted the several Papers of Questions—1, 2, 3, 4, 5, 6, 7, 8, and that the following answers had been received by him:—

To Paper No. 1.—Answers from the three Commissioners of the Incumbered Estates Court.

Paper No. 2.—Answers to questions 1, 2, and 3—and a letter from Henry Carey, Esq., dated the 19th January, stating that the answers to the other questions were in course of preparation.

Paper No. 3.—Answers from all the Officers of the Incumbered Estates Court.

Paper No. 4.—Return received from Theobald M'Kenna, Esq., of the Appeals to the Privy Council.

Paper No. 5.—A letter from the Secretary of the Law Society, requesting further time to answer the questions.

Paper No. 6.—Answer received from J. J. Murphy, Esq., Master in Chancery.

Paper No. 7.—Answers from Messrs. Longfield, Lloyd, Norman, Warren, and Smith. It was

Resolved,

That the several answers be printed and transmitted to the Commissioners.

The Secretary read a letter from S. W. Flanagan, Esq., dated 22nd January, whereupon the Commissioners directed that Paper No. 1 should be sent to Mr. Flanagan for his answers thereto, as to the practice in his office. It was

Resolved,

That the Secretary be directed to write to his Honour the Master of the Rolls, to request his answers to the following questions:—

"Whether it would be advisable to extend to the Court of Chancery the powers and authorities contained in the Incumbered Estates Acts; or to confer similar powers on the Court of Chancery? And whether it would be advisable to confer on the Court of Chancery a power of giving to purchasers under that Court indefeasible titles?" It was also

Resolved,

That the Secretary be directed to write to the Commissioners of the Bankrupt and Insolvent Courts, to request their answers to the following questions:—

"Whether it would be expedient to confer upon the Bankrupt or Insolvent Court a power of giving indefeasible titles to purchasers under that Court? Or whether it would be expedient, where a sale is necessary, to direct the real estate of the Bankrupt or Insolvent to be sold in the Incumbered Estates Court?"

The Commissioners then adjourned to the 19th February.

Monday, 19th February, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
Chief Justice Monahan,
The Right Hon. Francis Blackburne,
Mountifort Longfield, LL.D., Q.C.,
James A. Lawson, Secretary.

The Secretary read the minutes of the last meeting.

The Secretary reported that he had transmitted the questions settled at the last meeting to the Master of the Rolls, and the Bankrupt and Insolvent Commissioners, and that he had received a reply from Mr. Commissioner Macan.

That he had also received the answers of the Council of the Law Society to Paper No. 5.

The answers of the five Masters in Chancery to Paper No. 6.

The answers of Messrs. Rogers, Blake, Rolleston, Sherlock, and Lawless to Paper No. 7.

The answers of Mr. Flanagan to the further questions submitted to him.

The Secretary read a letter from Henry Carey, Esq., dated the 16th February, stating that the returns required could not be completed before the 5th March; and it having been suggested that the returns would be very voluminous, and might, without injury, be abridged, the Secretary was directed to write to Mr. Carey, stating that the Commissioners would not object to such abridgment, provided that nothing should be omitted which tended to show the amount of business remaining undisposed of.

The Secretary was directed to prepare questions to be sent to the Taxing Masters in Chancery, as to the state of business and arrear in their offices.

The Secretary was also directed to make inquiries as to the working of the present practice of the English Court of Chancery, and the costs in cases of claims in that Court.

The several answers which had been received and sent to the Commissioners were then discussed and considered by the Commissioners, with the view of suggesting the heads of a report; and the Secretary was directed to prepare a Paper in conformity with the views this day suggested by the Commissioners, to be submitted to a future meeting.

The Commissioners then adjourned to the 26th February.

Monday, 26th February, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor.
Chief Justice Monahan,
The Right Hon. Francis Blackburne,
The Attorney-General,
Mountifort Longfield, LL.D., Q.C.,
James A. Lawson, Secretary.

The Secretary read the minutes of the last meeting.

The Secretary laid before the Commissioners the return furnished by the Incumbered Estates Court to Paper No. 2.

The Secretary was directed to communicate with the four other Masters of the Court of Chancery in reference to a statement contained in Master Henn's replies, as to the pending of several petitions against the same owners, and to ascertain from them whether they were aware of the existence of such a practice.

The Secretary was directed to transmit to the Taxing Masters in Chancery, the questions prepared by him and approved of by the Commissioners.

The Secretary having laid before the Commissioners a letter from Mr. R. R. Warren, was directed to state in reply, that the Commissioners considered the answers confidential, and had not given them any publicity.

The Secretary then read a paper containing suggestions for heads of a Report, which was considered and altered, and the Secretary was directed to prepare it anew, in conformity with such alterations, and have it printed.

The Commission then adjourned to the 10th of March.

Saturday, 10th March, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
The Solicitor-General,
Mountifort Longfield, LL.D., Q.C.,
James A. Lawson, Secretary.

A sufficient number of Commissioners not being present to form a quorum, the meeting was adjourned.

Wednesday, 28th March, 1855, the Commissioners met at the Rolls' House, Chancery-lane.

Present:

The Master of the Rolls,
The Solicitor-General,
The Solicitor-General for Ireland,
The Right Hon. A. Brewster,
Mountifort Longfield, LL.D., Q.C.,
Hugh M'C. Cairns, Esq., M.P.,
James A. Lawson, Secretary.

The general scope and object of the inquiry was discussed, and the views of the several Commissioners, so far as they had been as yet intimated, were considered; and, upon the motion of the Master of the Rolls, it was

Resolved,

That it is the unanimous opinion of the Commissioners present that it is expedient—

1. That a tribunal for the purpose of giving a Parliamentary Title to a purchaser, on the transfer of land in Ireland, should be made permanent in that country.

2. That the jurisdiction of this tribunal should extend to all estates, as well unincumbered as incumbered.

That the above resolutions are not to be considered as final or binding, but are open to reconsideration at any time before making the report.

The Commission then adjourned to the 31st March.

Saturday, 31st March, 1855, the Commissioners met at the Rolls' House, Chancery-lane.

Present:

The Master of the Rolls,
The Solicitor-General for Ireland,
The Right Hon. A. Brewster,
Mountifort Longfield, LL.D., Q.C.,
Hugh M'C. Cairns, Esq., M.P.,
James A. Lawson, Secretary.

The Secretary read the minutes of the last meeting.

The following resolutions were unanimously adopted by the Commissioners present, same being in continuation of the resolutions passed at the last meeting, and subject to the same rule:—

3. That in order to constitute such tribunal, it shall form part of the Court of Chancery in Ireland, subject to such limitations and restrictions as are hereinafter provided, and reserving for further consideration the question, whether it should merge in the general jurisdiction of the Court, or form a distinct branch of that Court.

4. That before the transfer of the jurisdiction of the Incumbered Estates Court to the Court of Chancery can be recommended, the constitution and practice of the Court of Chancery must be remodelled.

That for the purpose of such remodelling, the following alterations were recommended:—

5. That the office of Master of the Court of Chancery be abolished, and such abolition be carried out in a manner analogous to that provided by the 15th and 16th Victoria, chapter 60; subject, however, to the preservation of an officer for the purpose of controlling and regulating the management of estates by receivers, and for passing receivers' accounts.

6. That the Court of Chancery do consist of the Lord Chancellor, the Master of the Rolls, and two Vice-Chancellors, who are to be the four judges of that Court.

7. That a Court of Appeal be constituted, consisting of the Lord Chancellor and an additional Judge; such Judge to be selected from the Ex-Chancellors, or if none eligible to that office, from amongst the Common Law Judges for the time being, and to be nominated for that purpose by her Majesty.

8. That the Master of the Rolls and the two Vice-Chancellors, should each have the entire conduct and responsibility of each cause or matter in their respective courts, from the commencement to the termination of the cause or matter, subject to the ordinary right of appeal.

9. That the Master of the Rolls and the two Vice-Chancellors should each have attached to their respective courts, two chief clerks and two junior clerks; that such clerks shall be appointed by the judge of the court, and shall hold their office until removal; that it shall be in the power of each judge to remove any of the clerks in his own court, for cause to be expressed in the order to be made for that purpose, and that such clerks shall be removable by the three judges, or by any two of them, of whom one shall be the judge to whose court he is attached, without assigning any cause.

10. That the practice of the Court of Chancery as to the sale of estates, shall be assimilated as far as possible to the practice and procedure now adopted in the Incumbered Estates Court.

11. That the General Rules for the regulation of the practice of the Court of Chancery shall be made by the Master of the Rolls and the Vice-Chancellors, or any two of them; and that the same, unless disapproved of by the Lord Chancellor, shall be in force, but that they shall be required to be laid before both Houses of Parliament.

12. That in all causes and matters where a witness refuses to make an affidavit, or where a witness has made an affidavit, it shall be in the power of any party to such cause or matter, to examine or cross-examine such witness before one of the examiners of the Court of Chancery, or before an examiner to be specially appointed for that purpose; and that the practice as at present established in the Court of Chancery in England for this purpose shall be extended to the Court of Chancery in Ireland.

13. That each judge and officer of the Court of Chancery shall annually make returns of the state and dispatch of business before him to the Lord Chancellor, and that such returns shall be laid before both Houses of Parliament.

14. That the transfer of the powers of the Incumbered Estates Court to the Court of Chancery can only be recommended by the Commissioners on a reasonable expectation that the present officers and staff of the Incumbered Estates Court shall, so far may be reasonable or necessary, be transferred to the Court of Chancery.

15. That it shall be the duty of the judge, when the proceedings in any cause or matter are not conducted with due dispatch, to call upon the parties to explain the cause of the delay, and that the judge shall be invested with compulsory powers to expedite the cause or matter.

The Secretary was directed to have the resolutions of this and the former meeting printed, and sent to each Commissioner.

The Commission then adjourned.

Thursday, 12th April, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
Chief Justice Monahan,
The Right Hon. Francis Blackburne,
The Solicitor-General,
The Right Hon. A. Brewster,
Mountifort Longfield, LL.D., Q.C.,
James A. Lawson, Secretary.

The minutes of the last two meetings were read.

The fifteen resolutions passed at those meetings were then considered, and were adopted with the following alterations:—

The seventh resolution was altered by adding a recommendation, that in case it should be deemed advisable so to do, an additional judge should be specially appointed by her Majesty as a Lord Justice.

The eleventh resolution was altered by empowering the Lord Chancellor, Master of the Rolls, and two Vice-Chancellors, or any three of them, of whom the Chancellor shall be one, to make the General Rules for the regulation of the practice.

The fourteenth resolution was struck out.

The Secretary was directed to prepare a Draft Report, and transmit same when printed to the Commissioners.

Monday, 30th April, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
Chief Justice Monahan,
The Right Hon. Francis Blackburne,
The Right Hon. A. Brewster,
James A. Lawson, Secretary.

The minutes of the last meeting were read.

The Secretary read a letter from the Master of the Rolls, with the Draft Report returned by him, with his amendments.

A portion of the Draft Report was then considered and approved of.

The Commissioners then adjourned to the 2nd of May.

Wednesday, 2nd May, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
Chief Justice Monahan,
The Right Hon. Francis Blackburne,
The Right Hon. A. Brewster,
Mountifort Longfield, LL.D., Q.C.,
James A. Lawson, Secretary.

A further portion of the Draft Report was considered and approved of.

The Commissioners then adjourned to the 5th May.

Saturday, 5th May, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
The Right Hon. Francis Blackburne,
The Right Hon. A. Brewster,
Mountifort Longfield, LL.D., Q.C.,
James A. Lawson, Secretary.

A further portion of the Draft Report was read and approved of.

Monday, 14th May, 1855, the Commissioners met at Dublin Castle.

Present:

The Lord Chancellor,
The Right Hon. Francis Blackburne,
Mountifort Longfield, LL.D., Q.C.,
James A. Lawson, Secretary.

The Report was ordered to be printed.

INCUMBERED ESTATES INQUIRY COMMISSION.

APPENDIX.

COPY OF THE COMMISSION.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith. To Our Right Trusty and Well-beloved Councillors Maziere Brady, Our Chancellor of that part of Our said United Kingdom called Ireland, Sir John Romilly, Knight, Master or Keeper of the Rolls in that part of our said United Kingdom called England, James Henry Monahan, Chief Justice of the Court of Common Pleas in that part of Our said United Kingdom called Ireland, Francis Blackburne, Abraham Brewster, Our Attorney-General for that part of Our said United Kingdom called Ireland, Our Trusty and Well-beloved Sir Richard Bethell, Knight, Our Solicitor-General for that part of Our said United Kingdom called England, Mountifort Longfield, Doctor of Laws, one of Our Counsel learned in the Law, John David Fitzgerald, Esquire, one other of Our Counsel learned in the Law, and Hugh M'Calmont Cairns, Esquire, Barrister-at-Law, Greeting:

Whereas, We have deemed it expedient, for divers good causes and considerations, that a Commission should forthwith issue to inquire into the state of the business of the Court of our Commissioners for the Sale of Incumbered Estates in Ireland, and to report whether it would be advisable that the same should be continued with any and what modifications.

Now know ye that We, reposing great trust and confidence in your zeal, discretion, and integrity, have authorized and appointed, and by these Presents do authorize and appoint you the said Maziere Brady, Sir John Romilly, James Henry Monahan, Francis Blackburne, Abraham Brewster, Sir Richard Bethell, Mountifort Longfield, John David Fitzgerald, and Hugh M'Calmont Cairns, or any four or more of you to inquire into and report upon the state of the business of the Court of our Commissioners for the Sale of Incumbered Estates in Ireland under the Act passed in the Session of Parliament held in the Eleventh and Twelfth Years of Our Reign, chapter 48, and under the Act passed in the Session of Parliament held in the Twelfth and Thirteenth Years of Our Reign, chapter 77, and of an Act passed in the Session of Parliament held in the Sixteenth and Seventeenth Years of our Reign, chapter 64, and to consider and report whether it would be desirable that the said Court should be continued either permanently or for any and for what period, and whether with any and what additions to, or alterations or modifications in its powers, constitution and procedure, or whether the said Court should be annexed to, or its powers transferred to Our Court of Chancery in Ireland.

And for the better discovery of the truth in the premises, We do by these Presents, give and grant to you or any four or more of you, full power and authority to call before you or any four or more of you, such and so many of the Commissioners Officers and Clerks of the said Court, and all such other persons as you shall judge necessary, by whom you may be informed of the truth in the premises, and to inquire of the premises by all other lawful ways and means whatsoever. And We do hereby give and grant unto you or any four or more of you full power and authority to cause all or any of the Officers and Clerks of the said Court to bring and produce before you or any four or more of you all Books, Papers, or other writings belonging to the said Court, or any of the Officers within the same.

And Our further will and pleasure is, that you do, within one year after the date of this Our Commission, or sooner if the same can conveniently be done (using due diligence), certify to Us in Our Court of Chancery, under the Hands and Seals of you or any four or more of you, what you shall have done in the premises.

And We further will and command, that this our Commission shall continue in full force and virtue; and that you Our Commissioners or any four or more of you shall and may, from time to time, proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And for your assistance in the due execution of this Our Commission We have made choice of Our Trusty and Well-beloved James Anthony Lawson, Esquire, Barrister-at-Law, to be Secretary to this Our Commission, and to attend you, whose services and assistance We require you to use from time to time as occasion shall require.

In Witness whereof We have caused these Our Letters to be made patent.

Witness Ourself at Westminster, the Twenty-third day of November, in the Eighteenth Year of our Reign.

By Warrant under the Queen's Sign Manual,

(Seal.) C. Romilly.

Paper No. 1.

Questions addressed to the Commissioners of the Incumbered Estates Court.

Paper No. 1.—Questions addressed to the Commissioners of the Incumbered Estates Court.

1. Give a short outline of the course of practice adopted in your Court in the case of a Petition for sale, and the several steps taken from the presenting of the Petition to the payment out of the monies realized by the sale.

2. Does any defect or imperfection in that course of practice occur to you? and if so, state the same, and any remedy which you can suggest.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its practice or forms of procedure, which, in your opinion, would be calculated to make the system more perfect?

4. What are the peculiar circumstances in the constitution of the Court, or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

5. What, according to your experience, have been the practical results of giving a Parliamentary Title?

6. In your opinion, ought the privilege of obtaining Parliamentary Title to be continued and made permanent, and should such privilege be confined to Incumbered Estates, or limited to lands of any particular tenure?

7. Can you estimate the time within which the business of the Court can be completed, supposing the period now limited for receiving Petitions is not extended?

8. Is the present staff of Officers and Clerks sufficient for the effectual discharge of the business of the Court?

Answers of the Commissioners of the Incumbered Estates Court.

Answers of the Commissioners of the Incumbered Estates Court to Questions in Paper No. 1.

1. Give a short outline of the course of practice adopted in your Court in the case of a petition for sale, and the several steps taken from the presenting of the petition to the payment out of the monies realized by the sale.

The petitions for sale presented during each month are transmitted according to a system of rotation to the chambers of the respective Commissioners, each of whom makes a fiat or conditional order for sale on the petitions sent to him, if a sufficient *prima facie* case be shown for a sale; and in so doing he directs on whom the conditional order is to be served.

By the general practice of the Court, the whole of the proceedings in the matter are considered as referred to the Commissioner issuing the fiat; and all original motions and applications in the matter (except motions to make the order for sale absolute, and motions to vary or rescind it,) are heard and disposed of by such Commissioner; all orders and directions made and given by him being subject to the revision of the full Court, at the instance of any person aggrieved.

If no cause be shown against the conditional order within the time prescribed, it is made absolute in the office; and in case cause be shown by any person, the motion to make the order absolute is heard by the full Court.

The conduct of the sale and all the proceedings in the matter is ordinarily left with the solicitor of the petitioner, who obtains the directions of the Commissioner upon all matters arising in the course of the proceedings which appear to require such directions; but in some few cases of a special character, where the owner's solicitor has the conduct of the sale, a solicitor for the general body of creditors, or for any other party whose interests seem to require special protection, is authorized to attend to their interests upon all important motions and proceedings.

On the order being made absolute, the proceedings preliminary to the settlement of the rental, and the proceedings to make out or complete the title to the estate go on simultaneously.

With a view to the former, notices are served upon the tenants and occupiers, calling upon them to state the particulars of their holdings; and subsequently, all lessees and tenants are served with a final notice, under the 13th General Rule, stating as accurately as can be done the nature and particulars of the leases and tenancies, to which any lessee or tenant is at liberty to object; and in such case his objection is heard by the Master.

At this stage directions are given by the Master as to the obtaining of renewals of leases, the apportionment of annual charges, the redemption of quit rent, the ascertainment of the amount of tithe rent charge, and of charges under the Land Improvement and Drainage Acts, and other matters of a similar character.

The Master also gives an order for the survey and valuation of the estate on the application of petitioner's solicitor, where reasonable necessity for it exists and no sufficient objection is shown by any of the parties interested.

All directions of the Master are subject to the revision of the Commissioner in chamber, and ultimately of the full Court.

With a view to the latter object, (making out title,) all persons having deeds or documents relating to the estate are called upon to lodge them; and from the deeds, with the aid of searches, and abstracts or statements of title previously existing, the abstract of title to the estate is prepared and lodged; and in most cases the opinion of counsel is taken as to its sufficiency, and as to the searches that are likely to be required.

The Master is then authorized to proceed with the settlement of the rental; and when this is completed and laid before the Commissioner, he peruses the abstract of title, if he has not done so at an earlier stage.

He is thus able to see that the interest to be sold is properly described, and sold under proper and necessary conditions, and subject to all such rents, annuities, and other outgoings, as may appear in each case to affect the premises. He also, with the aid of counsel's opinion when obtained, directs the necessary searches in the office for the registration of deeds and judgments, so as to ascertain what charges exist, and in whom they are vested.

The sale takes place either before the Commissioner, or, (in case of sales in the country,) before an auctioneer appointed for the purpose, who returns the biddings to the Commissioner for his approval; and in some cases lots are sold by private contract on notice to the parties, if the Commissioner should think it beneficial that a private offer should be accepted.

The purchaser is at liberty to lodge the money and take out his conveyance as soon as he pleases; and if, having claims on the estate, he desires to avail himself of the power given by the 26th section of the Act to apply his demand towards the liquidation of his purchase money, before his rights have been judicially ascertained, he applies to the Commissioner for a provisional credit as against his demand, which is granted, if the Commissioner is of opinion that it may be done with safety; and though in such cases his conveyance is retained by the Commissioner until his rights are finally declared, he is enabled to obtain immediate possession of his purchase.

Pending the foregoing proceedings, all parties who have or claim any interest in the estate or in its produce are at liberty to file their claims; or, if they deem it advisable, to enter appearances, for the purpose of receiving notice of the various steps in the matter; and with a view to enable all interested parties to attend to their rights, the order for sale is advertised in the public papers soon after it is issued; and if any person interested conceive that the matter is not progressing in a satisfactory manner, it is open to him to call for explanations, or to apply to have the conduct of the matter transferred to him.

The Commissioners, also, when they perceive that there is any undue delay, take steps to require the petitioner to proceed with expedition.

Upon the searches being obtained, it is the duty of the solicitor conducting the proceedings to prepare a schedule of incumbrances according to their priorities, and to attend upon the Commissioner or Examiner for the purpose of accounting for all the acts and judgments which the searches may have disclosed, and of enabling the Commissioner to see that the schedule is prepared in a regular and formal shape.

Notice of the lodging of this schedule is given to all persons who have appeared, or filed claims, or have lodged documents subject to any claim of lien, or who may appear by the searches to have charges which might possibly affect the premises; and in order that the proceedings may not escape the attention of the last-mentioned class of persons, or of any parties who may have dormant or latent claims, or who may conceive themselves injured by the operation of the Commissioner's conveyance, a notice of the schedule is advertised in the Dublin and local papers, and occasionally in the English papers; and all persons whose rights may not be considered as properly stated on the draft schedule are at liberty to file objections, which are heard and disposed of or placed in a course of adjudication on the day fixed for the hearing of the schedule.

The funds are shortly afterwards allocated by the Commissioner, and paid out according to the schedule, sufficient funds being appropriated, when necessary, to meet claims not yet finally decided upon; or to provide for the accruing annuities or other periodical payments when not commuted.

In a large number of cases the Commissioners are able to avail themselves of the power conferred by the 30th General Rule to pay out well-known and ascertained demands, before the time for the settlement of the schedule has arrived. This course is generally practicable, when the first or an early demand is vested in a mortgagee who has taken the precaution at the time of his loan to have the title fully made out, and prior claims put out of the way, or when previous proceedings in Chancery have resulted in a report finding the priorities of the incumbrances; or when the searches show that the payment may be made with safety; or when the owner of an estate having a clear surplus requests that such payments may be made.

The above is an outline of the course of practice to which the Commissioners ordinarily desire to adhere; but deviations from it have not unfrequently occurred at times when the pressure of business has been excessive, or when a strict adherence to it might have caused delay and hardship to the parties concerned.

2. Does any defect or imperfection in that course of practice occur to you? and if so, state the same, and any remedy which you can suggest.

The course of practice above detailed is considered as applicable to all ordinary cases, and not to be departed from without adequate cause. The Commissioners, however, do not regard these rules as inflexible or of universal application; and they therefore mould and adapt them to the exigencies of individual cases. Thus, *e.g.*, if the creditors upon an estate desire to have their rights definitely ascertained before the sale, so as to enable them at the sale to purchase with safety by means of their demands, the schedule of incumbrances may be settled in the first instance. Having regard to the qualification implied in this remark, it does not occur to the Commissioners that there is any defect or imperfection in the course of practice above detailed. It may be observed, however, that, with reference to the minute details of practice and of routine in the offices, the Commissioners are in the habit, from time to time, of applying a remedy whenever any practice of an inconvenient character appears to exist.

3. Can you suggest any modification or alterations in the constitution of the Court, or

PAPER No. 1.

Answers of the Commissioners of the Incumbered Estates Court.

in its practice or forms of procedure, which, in your opinion, would be calculated to make the system more perfect?

After much consideration, we think it desirable that that portion of the business of the Commission which has hitherto been transacted by the Master in a separate office should be performed by or under the immediate control of the Commissioner who has the charge of the matter; and that, for that purpose, an addition should be made to the staff of the respective Commissioners. The business of the Master consists mainly of the three following departments.—1. The settling of the rentals including the disposal of all objections filed by tenants and lessees, and of all questions arising as to the mode of sale, the division into lots, &c. 2. The settling of all conveyances, and orders for partition and exchange. 3. The taking of accounts, and making inquiries into facts under references for that purpose made by the Court, or by the respective Commissioners in Chamber. As to the first class of business, it is found in practice that when a rental is referred for settlement, the Commissioner loses all immediate control over the progress of the matter; and having no means of knowing when the rental will be returned, he is unable to adapt the progress of the other parts of the case to that of the settlement of the rental and the period of sale, and the general business of his office is deranged from the circumstance of the rentals being returned in great numbers at particulars periods of the year, whilst at other times comparatively few are brought in. As to the second class of business, it is obviously expedient that it should be performed by the person who has previously settled the rental. And as to the third class of business, our experience has led us to the decided conviction that all formal references, and reports consequent thereon, (however efficiently made,) lead to a circuity of procedure not consistent with the rapid transaction of business. We are disposed to think that the details of accounts, and inquiries into minute facts, form a very small portion of the ordinary course of business; and that when they arise in such a form as not to admit conveniently of an immediate decision by the Commissioner, they might be submitted at once to a Chief Clerk or Examiner, who would deal with them under the immediate directions of the Commissioner who has to act upon his certificate or report. At present the conduct of a reference even of the simplest character has a tendency to expand itself into a distinct branch of litigation; the extent and expense of which are often quite disproportionate to the result, and which the Master, (acting in part ministerially), has not sufficient authority to check and control. We think that the Commissioner, with two Chief Clerks or Examiners, each of them having the aid of a Clerk, would be able to dispose of the whole of the business arising out of the cases in his office. One of these officers could act as Registrar to the Commissioner; which would be indispensable, if the Commission should be made permanent.

4. What are the peculiar circumstances in the constitution of the Court or its mode of procedure, which in your opinion have mainly contributed to its successful operations?

The constitution of the Court, and its mode of procedure are so closely connected with and dependent upon each other, that it is difficult to classify the circumstances referred to in this question under the two separate heads. The following, however, are the points which appear to us most deserving of consideration.

First.—The circumstance that each case is conducted throughout under the immediate supervision and control of a single person, who is responsible for the correctness of the proceedings, and for that purpose is armed with the entire powers conferred by the Act upon the Commissioners. It is found that the adoption of this system greatly increases the working power of the Commission by rendering it quite unnecessary to bring before the full Court any merely formal matters, or matters of course, or indeed any questions whatever except such as involve matters of law or are proper subjects for careful judicial consideration.

Secondly.—The circumstance that all the general practice and forms of procedure can by proper modifications be made to subserve and adapt themselves to the exigencies of each particular case.

Thirdly.—The power which the Commissioners possess to bind the right of all parties having any interest in the subject-matter of the sale. The Commissioners being thus able to judge for themselves whether particular rights are properly represented, and if not, how they should be represented, are not embarrassed with nice questions as to the construction of the suit, or its adaptation to bind particular rights, or as to the jurisdiction of the Commissioner to dispose of them.

Fourthly.—The facilities with which applications may be made to the Commissioners and information obtained without expense from them or their Examiners as to what has been done or is likely to be done in each case. This enables any claimant on the estate to intervene at the exact period when his rights ought to be brought forward, and from time to time to see that the proceedings are conducted in a satisfactory manner. The publicity and comparative rapidity of the proceedings tend to the same end. We consider that the power of obtaining a Parliamentary title can hardly be exercised with safety except through a system which gives to every person ready means for learning, without expense and without the possession of special professional experience, the nature of the proceedings in each case.

Fifthly.—The practice adopted by the Commissioners under the sanction of the rules approved of by the Privy Council of settling one general schedule of incumbrances in the presence of all the parties interested, instead of calling upon each creditor to prove separately and proceeding in each case by charge and discharge. This course is greatly facilitated by the circumstance, that ordinarily the fund is realized prior to the settlement of the schedule, so that all parties can ascertain their exact position, and the Commissioners

are relieved from the necessity of hearing questions of priority when the state of the funds is such as to render them unimportant. It also enables the Commissioners to confine the delay of litigation to the parties affected by it, as they are able to set apart the fund in dispute, and distribute the residue.

Sixthly.—In relation to sales, we would direct particular attention to the 15th and 16th General Rules, by which the Commissioners are prohibited from adjourning sales by auction except in cases of palpable insufficiency in the biddings, and from ever permitting any sale actually made to be opened on the ground of an advance in the price offered. A steady adherence to these rules has been found to inspire great confidence in the good faith of the Commissioners towards the public; who appear to be always willing to attend when there is a reasonable confidence that they are brought together for the purpose of a *bona fide* sale, and not for the mere purpose of putting a price upon the land to aid the vendors in future speculations. The adjournment of sales without sufficient cause appeared to us to operate unfairly towards the first or early mortgagees who may be considered as having lent their money not at random but upon the security of the estate. Such an adjournment is generally a speculation for the benefit of the puisne incumbrancers at the risk of those whose rights ought to be paramount.

Seventhly.—The Commissioners have laid it down as a general canon for their guidance in the discharge of their duties, that it is incumbent upon them to take care that any party who uses moderate diligence in the pursuit of justice shall not be frustrated by a point of form; and that the neglect of any mere practice shall not be met by a disproportionate penalty.

5. What, according to your experience, have been the practical results of giving a Parliamentary title?

The following appear to be the most important results of giving a Parliamentary title.

First.—The absolute and final settlement and ascertainment of the rights of all parties interested in the land, including those of lessees and tenants, thus closing many sources of petty litigation. This to some extent implies that dormant claims may be prematurely extinguished, but we have no reason to suppose that this has occurred to any material extent.

Secondly.—A great inducement to monied men to invest in the purchase of land, by giving them possession of the estate purchased, free from all fear of being involved in litigation, and with an exact binding statement of all interests affecting land, and with a title so simple that their deed of conveyance is almost as good as ready money, and admits of being disposed of again without material expense. It is a further inducement, that they are able, beforehand, to estimate the legal expenses incident to the purchase, and to calculate tolerably accurately when they may expect possession.

Thirdly.—Practical facilities for the sale of large estates in numerous lots, which under the former system was often impracticable, and always attended with great expense.

Fourthly.—An increased disposition on the part of incumbered proprietors to sell a sufficient portion of their estates to pay off charges, arising mainly from the removal of artificial impediments to the transfer of land.

Fifthly.—The gradual abolition of receiverships over land for the purpose of paying off debts.

6. In your opinion ought the privilege of obtaining Parliamentary title to be continued and made permanent, and should such privilege be confined to incumbered estates, or limited to lands of any particular tenure?

We are of opinion that privilege of obtaining Parliamentary title ought to be made permanent, and that it should extend to all estates sold under judicial process adapted for the purpose, whether incumbered or not; and that it should apply to the sale of all land, whether held in fee-simple, fee-farm, or under leases.

Whether the privilege ought to be conferred upon the occasion of the transfer of partial interests in land, such as estates for life, and remainders, and future and contingent rights, is a question deserving of consideration, upon which we are not prepared to offer a decided opinion. With the view of diminishing the acknowledged evil of placing landed estates under the charge of Court Receivers, it would, probably, be desirable to facilitate the transfer of life estates in possession by conferring the advantage of a Parliamentary title.

Any law confining such a privilege to incumbered estates can always be evaded with great facility.

7. Can you estimate the time within which the business of the Court can be completed, supposing the period now limited for receiving petitions is not extended?

Assuming that there will be no extraordinary influx of petitions between the present time and the last day for receiving petitions, we think that the period prescribed by the Act of Parliament (viz.:—two years and the duration of the then ensuing session of parliament,) will be sufficient for the completion of the business of the Court, so far as its completion rests with the Court; but there will probably then remain considerable funds to be disposed of under the 35th section of the Act; and there may be some cases not concluded, owing to the amount of litigation involved in them.

8. Is the present staff of officers and clerks sufficient for the effectual discharge of the business of the Court?

In answer to the third question, we have suggested some alterations of practice which, if carried into effect, would cause changes in the staff of officers and clerks.

There is also wanted a General Clerk at the head of the General Office, the time of the gentleman now filling that office being fully occupied in the performance of his duties as Taxing Master.

PAPER No. 1.

Answers of the Commissioners of the Incumbered Estates Court.

The addition of a clerk in the taxing office, and of a clerk in the auction office, and of an additional clerk in the notice office, are under the consideration of the Commissioners.

The Act of Parliament (4th section) contemplates the appointment of a Secretary, and the General Rules attribute certain duties to him by that name; but in fact the office is merely nominal, and its duties are performed by the gentleman who fills the office of Registrar. Upon a re-constitution of the Court, the office of Secretary might be dispensed with.

If the office of Master should be continued, it will be necessary that he should have a clerk or examiner.

The Commissioners think it right to add, that the transaction of business is very much impeded, and the profession as well as the Commissioners subjected to great inconvenience from the locality of the Court being so remote from that of the other courts.

JOHN RICHARDS.
MOUNTIFORT LONGFIELD.
CHARLES JAMES HARGREAVE.

PAPER No. 2.

PAPER No. 2.—RETURNS required from the INCUMBERED ESTATES COURT. [*For this Paper, and the Returns thereto, see Appendix, p.* 80.]

PAPER No. 3.

Questions addressed to the Officers of the Incumbered Estates Court.

PAPER No. 3.—QUESTIONS addressed to the OFFICERS of the INCUMBERED ESTATES COURT.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

3. Give a detail of the general course of practice and mode of procedure adopted in your Office.

Answers of S. W. Flanagan, Esq.

ANSWERS of S. W. FLANAGAN, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Master, and have held it since December, 1850.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

As to their nature, my duties are partly ministerial, partly judicial. Their particulars are as follows:—*Ministerial*—settlement of all rentals, conveyances, partition and exchange orders. *Judicial*—adjudicating on all tenants' objections; references made to me by the Commissioners; adjudicating on all applications for orders for deeds on behalf of purchasers, surveys, valuations; adjudicating on all applications for orders on persons to lodge deeds; adjudicating on all applications for certificates for taxation of costs in Chancery, and transferring deeds from Court of Chancery to Incumbered Estates Court. Those matters which I have classed under the head "Ministerial" are all subject to the approval and revision of the Commissioners; those under the head "Judicial" to *appeal* to the Commissioners. As to the time occupied in the discharge of my duties—this has varied considerably. In the year 1851–2, and in the year 1852–3, the office attendance was habitually from 10, A.M., till 5, P.M., for *weeks* till 6, P.M., and on many occasions till 7, P.M. In the year 1853–4 the *average* office attendance did exceed from 10, A.M., till 5, P.M. In the present year, *i.e.*, from October, 1854, to the present time, I have never been detained later than 4, P.M., and my business has often been finished before that hour. In addition to the office attendance, the time occupied at home has been in all years (save the present), on an *average*, from *two* to *three* hours daily; in the present year, about *two* hours.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

As to the general course of practice: matters, of course, *i. e.*, *ex parte*, from 10 till 11 o'clock, then motions on notice, then settlement of conveyances. As to mode of procedure; in matters classed under head "Ministerial"—1st, as to rentals—when an order has been obtained from Commissioners for settlement of a rental, notice of settling the rental before me is served on all persons who have entered appearances in the matter, and, in all cases where practicable, on the owner, whether he has appeared or not.

Draft rental as prepared by solicitor having carriage is then compared by me with notices served on tenants; affidavits of service on tenants are examined; tenants heard, and all deeds referred to in rental examined; *lots* are arranged; conditions of sale, if any required, settled.

As to conveyances: Draft prepared by solicitor for purchaser, with approval endorsed of solicitor having carriage of sale, is lodged with me, with auction clerk's certificate of sale, and a copy of rental. This draft I read at home, compare with rental and conditions; and on the following day, if the solicitor for purchaser attends, and the form be correct, I examine the deeds (if any) referred to in conveyance. Having finally approved of it, I then transmit it to the Commissioner in the matter, for his final perusal and approbation.

Partition and exchange orders: These are in the nature of conveyances. In all cases I read the abstract of title, and prepare the order accordingly. Of the former there have been very many; of the latter very few. These orders, when finally settled by me, are passed on notice to all parties interested, and, as in case of conveyances, transmitted to the Commissioner for his final approval.

As to matters classed under head *judicial:* tenants' objections are decided on notice; where objection filed by solicitor, to solicitor; where not filed by solicitor, to tenant. Where the tenant is in such a condition of life that notice through office would be sure to reach him, on notice transmitted accordingly; where not, notice must be served personally, and affidavit of service produced to me; and notice must be for some *fixed* day, not earlier than one week from date of service.

Tenants' objections are very numerous, and sometimes very trifling; their character at others raising very serious questions—of fact and of law. Where a pure question of law is raised, I proceed on the affidavit filed and the documents referred to. Where evidence becomes necessary, as it generally does, I proceed according to the nature of the case, either on affidavit or *viva voce* testimony. The latter I prefer, and have always found more satisfactory. Where the testimony is very conflicting, and the case is sufficiently important to justify it, I direct (subject to the approval of the Commissioners) an issue of fact to be tried. Where, on the other hand, a serious legal question is raised, I leave the parties impeaching the lease to proceed at law or in equity as they may be advised. Very often—all parties so desiring—I decide myself on all questions raised.

As to references made by the Commissioners: Where a reference is made I require a notice to be served on all persons interested to attend to take my directions under the order of reference. I then give such directions as I may conceive necessary according to the nature of the reference. Where a question of fact, and an issue sufficiently raised on the documents already before me, by directing the parties to go into evidence on a day named, either by affidavits or *viva voce*, as already explained under head of tenants' objections; where issue not sufficiently raised, by directing a charge and discharge to be filed, and then proceeding thereon; where a mixed question of law and fact, I adopt similar course as above, but generally directing a charge and discharge to be filed. I have found this latter course (save in the most simple cases) to be the better course, and ultimately the less expensive. As to references, they are necessarily very various in character.

As to orders for surveys, valuations, and all other matters enumerated above: They are, according to circumstances disposed of, either *ex parte* or on notice—*ex parte* when no appearances entered; on notice when appearances entered—and in both cases on affidavits and documents, showing the necessity for the order sought.

S. W. Flanagan.

Answer of S. W. Flanagan, Esq., to a further Question submitted to him.

4. Does any defect or imperfection in the course of practice in your office occur to you? If so, state the same, and any remedy which you can suggest.

As already explained in my former answers, my duties are twofold, wholly different in character, what I called ministerial, and judicial in contradistinction from the former.

The former would be more advantageously discharged by a clerk, in the office, and under the immediate supervision, of the Commissioner. Such a mode of procedure would be more expeditious, less expensive, and save an immensity of labour.

As regards what I have designated my ministerial duties, I would also submit, that, in my opinion, they would be more satisfactorily, expeditiously, and less expensively discharged by the Commissioner in the matter. All references necessarily entail expenses, which would be avoided if the matter were decided as I have suggested.

S. W. Flanagan.

Answers of Henry Carey, Esq., Secretary, &c., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

Secretary, Registrar, and Examiner. I was appointed to the office of Examiner in the opening of the Commission, in October, 1849. I immediately afterwards assumed the duties of Assistant-Secretary and Registrar; and on the promotion of Mr. Flanagan to the

Paper No. 3.

Answers of Henry Carey, Esq., Secretary, &c.

office of Master, on the 10th December, 1850, I was appointed Secretary, in conjunction with the offices I had theretofore held.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

As Secretary:—Signing all orders for payment of money and transfer of stock, and for investment and sale of stock, and for receiving funds from Chancery; perusing and signing all certificates which pass the seal of the Commissioners, *i. e.*, for discharge of Chancery Receivers, obtaining deeds from Chancery of absolute orders for sale, to discontinue proceedings in Chancery; perusing and keeping powers of attorney, comparing parcels, purchasers' names, and certificates of payment of purchase money in all conveyances, and signing same as certifying such comparison; perusing, settling, and signing notices to tenants, under the 13th General Rule, signing notices to claimants and incumbrancers; superintending the preparation of returns ordered by Parliament and the Government; keeping the accounts of the incidental expenses of the Commission, and disbursing same; conducting the correspondence of the Commission, and the general superintendence of the official department of the Commission. As Registrar:—Perusing and signing all orders which pass the seal of the Commission; reading petitions for sale, partition, and exchange, the schedules thereto, and drafting the orders thereon; drafting special orders made by the Commissioners and Master, in chamber; inspecting affidavits of service where any special matter is stated; reading statements of facts and leases, and settling conditional and absolute orders for the conversion of renewable leases into fee-farm grants; attending the Commissioners, sitting in full court, and taking down and drafting all orders made therein. As Examiner:—Attending the Commissioners in their chambers, and taking down the *viva voce* examinations of witnesses; and when not engaged in any of the foregoing duties, assisting in the discharge of the more general business of the office.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

The foregoing details will necessarily suggest the general mode of procedure in this office. There is a general registry kept of every step and proceeding in each particular matter, which shows at one glance the progress made in each—the intervals of time, and orders made. There is also a registry of all conveyances executed by the Commissioners, specifying the matter, grantees' names, parcels and amount of purchase money and date. Indexed entries are also made of notices to claimants and incumbrancers, to tenants under 13th general rule; of objections by tenants, and requisitions to the Paymaster of Civil Services and Board of Works with respect to Government charges, and of the certificates from these departments thereon. With respect to the payment of money the procedure is as follows:—the fiats for payment are transmitted from each Commissioner to the Accountant's office, and on being entered by him, are sent to the Secretary's office, on which the cheque or order on the bank is drawn up, and afterwards signed by the Secretary. It is then sent to the Commissioners' Examiner, who compares it with his block fiat, and initials it as thus examined. It is then signed by two Commissioners and returned to the Secretary's office where it is retained until applied for. The party applying (if in person) produces an affidavit that he is the person entitled thereto, and that the sum is due; he then signs a receipt-book kept for that purpose, and (if necessary) is identified. Where the payment is made under power of attorney, the power is examined by the Secretary, or in his absence, by the Assistant-Secretary, and the same process is observed as in personal payments. The cheque is then sent to the Accountant's office to be entered as a payment in the ledger; and when entered, is returned to the Secretary's office and delivered out.

The late act, which gives the Commissioners jurisdiction to convert renewable leaseholds into fee-farm grants, has caused a considerable accession to the business of the office. The Registrar is obliged to closely inspect the leases, to ascertain the covenants to be commuted or to remain outstanding, and specify them in the order, and to see that the calculations as to the amount for which the fines are proposed to be commuted are correct, and to examine the affidavits of the service of the conditional orders and statements of facts. The inspection of the notices to tenants under the 13th General Rule requires an accurate perusal of the description of each tenancy. The amount of general business arising from the preparation and issue of documents so numerous and multifarious must be obvious, and a considerable portion of the Secretary's time is thus occupied, as well as in advising as to practice, &c. The usual time devoted to the discharge of the duties is from ten until four o'clock daily, while the Commissioners are sitting, which, with the exception of short intervals at Christmas and Easter and the summer recess, continues throughout the year; at which latter periods the attendance is from twelve to three o'clock. The Secretary is generally allowed about six weeks' leave of absence during the summer recess. When there is a more than ordinary pressure of business the attendance of the Secretary is not confined to the above hours.

Henry Carey.

Answers of Robert K. Piers, Esq.

Answers of Robert K. Piers, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I have held the office of Notice Clerk since the opening of the Commission, in October, 1849, in addition to which, I have performed the duties of General Clerk, since the early

Paper No. 3.

Answers of Robert K. Piers, Esq.

part of the year 1851, from which period the services of Mr. Fitzgerald (General Clerk originally appointed) have been exclusively devoted to the taxation of costs.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

The particular duties of this office which are performed conjointly by myself and Mr. Frizell, my Assistant, are:—1st. To receive all notices or orders lodged for transmission, and compare each copy with the originals which are filed in the office. 2nd. To enter the said documents in a book kept for that purpose under proper headings, with the title of matter, nature of document, name of attorney or party lodging same for service, and name and address of the attorney or party on whom service is required, and to stamp with office seal each notice. 3rd. To post such notices enclosed in envelopes, properly directed and sealed, in the general post office, before six o'clock on the day when same are lodged for transmission; and afterwards to enter in the above-mentioned book a memorandum or minute of having so posted same. 4th. To enter in a book kept for that purpose, under a proper index, a memorandum of all notices of cause being shown against making absolute a conditional order for sale; and in case no cause shown, to ascertain if time allowed for showing cause has expired, afterwards to fill up and deliver to party requiring the certificate of no cause. 5th. To enter in a book kept for such purpose all motions to be heard before the Master of this Court. 6th. To arrange and classify all notices of court and chamber motions to be heard before the Commissioners. 7th. To examine and sign certificates of all parties who have entered appearances and lodged claims as creditors, that they have all been served with notice of draft schedule having been lodged in the General Clerk's office. 8th. To sign and seal notices for publication in various newspapers of draft schedule having been lodged in General Clerk's office. 9th. To enter in a book kept for such purpose all letters from Commissioners' Examiners, and from the Keeper of the Deeds, relating to property ordered to be sold.

In addition to the foregoing duties as Notice Clerk, those performed by me as General Clerk, before referred to, are as follow:—1st. To receive affidavits verifying petitions, and to examine the petitions and abstracts of title, with a view to ascertain if they comply with the general rules and rules prescribed by the Commissioners. 2nd. To receive affidavits as to any amendments subsequently required to petitions. 3rd. To enter the petitions as they are lodged in two books with proper index, kept for such purpose, under proper headings, with the title of matter, name of petitioner, name of solicitor lodging same, and date of filing, and number of petition; also, to endorse the date of filing and number to correspond with books. 4th. To receive affidavits verifying abstracts of title lodged subsequent to petition, and preliminary abstracts. 5th. To receive claims by incumbrancers. 6th. To receive affidavits to objections to draft schedule of incumbrances, and as to lodgment of deeds in record office, and affidavits verifying abstracts of title lodged subsequent to petition, and preliminary abstracts of title; also, as to searches directed by Commissioners in registry office, and various other affidavits. 7th. To sign attested copies of documents taken out by solicitors and other parties. 8th. To examine and sign certificates of objections and claims. 9th. To search for and exhibit to solicitors and the public all the various documents above referred to, and replace them in their proper repositories. 10th. To attend generally to the public, answer all questions relating to practice as to business done in offices under my charge.

I am fully occupied from ten to four o'clock each day, and later if business of the offices require it; and on other occasions, when Commissioners are not sitting, from twelve to three o'clock each day.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

The details given respecting question No. 2 fully suggest the mode of procedure adopted in my office.

Robert K. Piers.

Answers of Thomson Seed, Esq., to Questions in Paper No. 3.

Answers of Thomson Seed, Esq.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Accountant, and my appointment bears date, April 1st, 1850.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

Since the commencement of my appointment, in April, 1850, until the month of January, 1853, I had the entire duties of this office to perform, having for part of the time only had the assistance of a writing clerk for the purpose of copying accounts and other documents; and I continued to have the custody and keeping of the estates ledgers until the month of October 1853; but in consequence of the increasing magnitude of the business the accounts were getting into arrear, and the Commissioners deemed it necessary to augment the staff and apportion the duties of each officer and clerk.

For the first three years my time was completely occupied from 10 o'clock in the morning, until 5 o'clock, P.M., and I was unable to take advantage of the annual vacations. The time occupied at present is from 10 o'clock until a quarter or half-past 4, P.M., and my present duties are annexed.

1. The general superintendence of the office. 2. Arranging and settling the Com-

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Answers of Thomson Seed, Esq.

missioners' fiats for payment in the order directed, part being ordered to be paid in cash, part by sale of stock, part by quotations in stock, and part by investment in the funds previous to payment, and part by absolute credits. 3. Examining and initialing the Commissioners' drafts on the bank for cash, consols, and stock, in payment to claimants, &c. 4. Granting certificates of funds. 5. Granting certificates of non-lodgments by purchasers. 6. Granting certificates of absolute credits. 7. Granting certificates of dividends on stock. 8. Granting certificates of special lodgments. 9. Granting certificates of sums retained or impounded. 10. Examining and certifying copies of accounts. 11. Answering queries relating to the general business of the department. 12. Granting and signing receipts for certificates of lodgments in bank. 13. Certifying investments and sales of stock, under order of Commissioners. 14. Ordering quotations of stock for payments and dividends. 15. Examining, certifying, and assisting in striking the annual general balances with the bank. 16. Custody and posting of the Government stock ledger.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

1. On receipt of a certificate of lodgment from the bank of Ireland, which certificate exhibits the title of the estate, the name of the purchaser, and the amount, an account is opened in the general ledger in accordance with the bank. 2. The purchase money as it thus comes into the credit of each estate is frequently invested in the Government funds under a Commissioner's order and at the request of the solicitor having carriage of the matter, thus changing the general feature of the account. 3. When payments are ordered to be made out of the funds brought in, the Commissioner (in whose chamber the matter may be) issues a fiat containing the names of the different parties who are to be paid, and the several sums they are to receive, which fiat is sent to the Accountant's office. 4. On receipt of the fiat, it is entered in the fiat book, and after having had endorsed thereon any or such sum or sums which may previously have been ordered to be retained or impounded, or that may have remained uncalled for, it is handed to the Accountant for arrangement in the way ordered by the Commissioner; and when so settled it is sent to the Secretary, whose duty it is to draw the cheque for payment. 5. When the cheque is prepared for issue and called for, it is sent to the Accountant's office to be entered as paid in the fiat book; and when examined and initialed by the Accountant, it is sent back to the Secretary for issue. 6. The cheques are also recorded in a diary and afterwards entered in a journal kept by Mr. Doyle, the Junior Clerk, who also puts the proper folio to each account, for the purpose of the amount being finally entered in the general ledger. 7. The books of this department are read over and examined by the Accountant and First Assistant every week, for the purpose of being at all times prepared for certificates of funds.

There are three distinct "sets of books" kept in this office, viz.:—

1. The general estates ledgers, five in number, under the management of the First Assistant Accountant. 2. The Commissioners' "fiat legers," four in number, under the management of the Second Assistant Accountant. 3. The bank cash, and Government stock ledgers, two in number, the former kept also by the Second Assistant, and the latter by myself. Besides a daily journal kept by the Junior Clerk, Mr. Doyle, whose time is fully occupied with this book, a minor bank book, filling bank receipts for lodgments, and copying accounts, &c.

THOMSON SEED.

Answers of Richard A. Fitzgerald, Esq.

ANSWERS of RICHARD A. FITZGERALD, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

Taxing Officer and General Clerk; since the 24th day of October, 1849.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

In respect to my primary duty as Taxing Officer, the taxation of all costs incurred in this Court—this I have done without any assistant; and all costs lodged for taxation up to the 23rd day of December last, have been taxed by me, and no arrear exists.

The amount as taxed and certified up to this date is as follows—

	£	s.	d.
Amount as lodged, ...	434,294	12	3
Deductions thereout, ...	100,713	12	7
Net amount as certified by me, . . .	£333,580	19	8

In addition to this sum, costs have been taxed up to this date, but have not been yet certified, amounting to £31,837. As far as I can judge, the deductions in the latter sum would appear to be in the same proportion; thus making a total taxed by me of £466,131 12*s.* 3*d.*

As to the time occupied by me: from 10 o'clock, A.M., till 5 o'clock, P.M., daily, in my office; except from first week in August to first week in October, when I attend only once in each week. In addition to which I read all costs at my own house, previous to the public taxation, and make my deductions and notes thereon, which enable the parties to come prepared with the various necessary requirements and objections.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

As regards costs: at the time of each bill being lodged I appoint the day for taxation; and only give summonses for so much business as I can with due exertion transact during each day; any party taking a summons, and not attending (without sufficient excuse) on the day named, I put at the foot of the list. The result is, I scarcely ever have a party absent; as the profession find their own time is saved by being punctual in attendance.

The duty of the General Clerk's office is performed by *three* assistants. In this office the petitions, affidavits, objections, final schedules, and draft conveyances, are kept, and appearances entered, and copies of those various documents bespoken and issued, and certificates of lis pendens given when required. The office is open from 10 till 4 o'clock, daily during the sitting of the Commissioners, and from 12 o'clock till 3 o'clock at other periods. I do not attend personally in this office more than each day to see that the assistants are in attendance, and the duties peformed by them.

Richard A. Fitzgerald.

Answers of James M'Donnell, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Examiner to Commissioner Longfield, I have held this office for four years and ten months.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

The nature of my duties is to assist the Commissioner in the minor details of his office. The particular duties performed in my office are:—1. To take charge of and arrange the books and documents kept in Commissioner's chamber. 2. To keep his list of chamber motions and sales. 3. To read and note his titles. 4. To examine the title deeds as detailed in my answer to the third question. 5. To make copies of the Commissioner's directions for searches and rulings. 6. To compare the conveyances to purchasers with the drafts. 7. To settle the draft final schedules of incumbrances. 8. To compare the fair copies of the draft final schedule with the original draft. 9. To see that the proper parties are served with notice of the draft final schedule of incumbrances, and that the advertisements of same are duly published. 10. To keep, in the manner detailed in my answer to the third question, an account of the money disbursed. 11. To give general information to the public on matters of practice, connected with the Commissioner's office, and to show to them such of the books and documents in my custody as they are permitted to inspect. 12. To make from time to time lists of cases in delay, and, if necessary, send notices to the solicitor having the carriage of the proceedings, calling upon him to account to the Commissioners for such delay. I have the assistance of a clerk, Mr. Richard H. V. Archer, in the discharge of my duties; He usually performs those numbered 2, 5, 6, 8, and 9; I myself those numbered 3, 4, 7, 10, and 12. Those numbered 1 and 11 are performed in common by us both. My office is open to the public from 10 until 2 o'clock. From 2 until 4 o'clock, I and my Assistant are engaged in entering up accounts, comparing original deeds with the abstract of title, entering up the indices, making copies of the Commissioner's rulings, arranging the papers used during the day, &c. Titles and draft final schedules I have, for the most part, to note and settle after office hours, partly because I am otherwise fully employed from 10 until 4, and partly because this part of my business requires more undivided attention than I can give to it in an office where I am necessarily liable to frequent interruptions.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

The following is the detail of the course of practice and procedure adopted in my office:—I follow, as the most convenient mode of answering the question, the course of a single petition through my office. When a petition is sent to Commissioner Longfield's office, I lay it before him. When fiated, the original petition and the documents accompanying it are sent to the Registrar, the counterpart filed in my office, and its number on the file entered in the column No. 3 of an alphabetical index, kept in the following form:—

Name of Owner.	Name of Petitioner.	Petition.	Petition Book.	Abstract Book.	Search.	Sale Book.	Rental.	Schedule.	Schedule Book.	Account Book.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.

And in column No. 4 the page of the Commissioner's petition book, in which the Commissioner himself enters the particulars of the cause, the fiat, and all rulings in chamber thereon, up to the hearing of the schedule. I may here remark that the above form of index has been adopted as showing at a glance the state of the proceedings in any cause, besides answering the usual purposes of an index. When any notice of motion in chamber is brought in for service, I read it, to see that it is in proper form, sufficiently explicit, and such as the Commissioner will hear in chamber. It is then entered in the Commissioner's list of motions (as many motions as it is likely the Commissioner can dispose of, and no more, being entered for each day), and initialed, to satisfy the notice clerk that it has been entered in my office. When the Commissioner makes his ruling on a

PAPER No. 3.

Answers of James M'Donnell, Esq.

motion, any person wishing to have a copy of it applies to my clerk. If only one copy is required he usually makes it out himself, and hands it to the party asking for it. If more than one copy is wanted, or likely to be wanted, he sends a copy of the ruling to the scrivenery office where a copy is made out for each person requiring one. As soon as the abstract of title and deeds are lodged in court, the solicitor having the carriage of the proceedings (hereinafter called the solicitor), ought to notify this to me; whereupon I send to the General Clerk's office for the title, and place it in the Commissioner's list of titles for reading. I have no column in my index for titles, but keep a separate list of them, as it is material to have them arranged in the order in which they are lodged for reading, and also because they do not remain permanently in my office. At this period, if the solicitor requires it, and the title seems of sufficient importance, I direct that it shall be laid before counsel for his opinion thereon; but in this case I do not enter the title in the Commissioner's list for reading until it is returned to me with counsel's opinion. I then read and note the title. It is my duty to see that the parcels comprised in the absolute order for sale are mentioned in the deeds abstracted, and that the title is drawn in conformity with the Commissioner's directions. If the title is not properly drawn or defective in any way I have it amended, and the defect if possible removed before it is submitted to the Commissioner for his perusal; the page of the book at which I note it is entered in column No. 5 of the index. I also see that it is verified by affidavit and that the deeds mentioned in it are lodged in court, or their absence satisfactorily accounted for, and secondary evidence given of their contents. I compare the principal deeds with the abstract, so far as to enable me to see that the most material points (*e.g.*, the parties, parcels, granting part, limitations, and execution) are truly abstracted. When the Commissioner has read the title, the original direction for searches (on which also the Commissioner notes any observations or directions in relation to the title, and the conditions of sale if he thinks any necessary) is filed, and its number on the file entered in column No. 6 of the index. A copy of these directions is given to the solicitor. I next make out on the back of the original order for sale (to enable the solicitor to go before the Master to settle the rental) a certificate stating that the Commissioner has approved of the title, and setting forth any condition of sale or observations of the Commissioner which the Master should have before him on settling the rental. I lay before the Commissioner, for his approval, the draft rental sent from the Master; and when the day of sale is fixed, it is entered in the sale book, which is kept in the form of a diary, and the page of the sale book is entered in column No. 7 of the index. When the sale has taken place the rental is filed, and its number thereon entered in column No. 8 of the index. When the draft conveyances are sent in by the Master, I submit them to the Commissioner; and when approved of by him, forward them to the General Clerk's office. When the deed is engrossed, my clerk compares it with the draft settled by the Commissioner, and I compare the map with that on the rental, and then forward it to the Registrar. As soon as the draft of the final schedule of incumbrances (hereinafter called the schedule only) is prepared, the solicitor brings it to me with the searches which have been made in pursuance of the Commissioner's directions, and a certificate from the Paymaster of Civil Services in Ireland, stating what sums, if any, are due out of the estate for drainage loans. It is my duty to see that the searches follow the Commissioner's directions, that they disclose no act which would vitiate the title, and that all subsisting charges appearing on them, the abstract of title, and Paymaster's certificate, are set down in their apparently proper priority in the schedule. When the schedule has been thus made out, two fair copies of it are prepared by the solicitor, and compared with it by my clerk: one of these is submitted to the Commissioner, and when approved of and signed by him, is given to the solicitor to file in the General Clerk's office; the other is filed in my office, and its number on the file entered in column No. 9 of the index. At this period the solicitor prepares and serves his notice of the filing of the schedule, which is passed through my office in the same manner as other notices. Before the schedule is heard by the Commissioner the solicitor has to produce the documents necessary to show that all persons whom the rules require to have notice of the settling of the schedule have been served, and that the notice has been published in such papers as the Commissioner has directed. If any service or publication has been omitted, the omission is stated on the back of the schedule. When the schedule comes on for hearing, the Commissioner enters his rulings thereon, in a book called his schedule book;—column No. 10 of the index shows the page of this book in which the rulings are made. The Commissioner makes his money fiats in a cheque book; I copy them into an account book kept for the purpose, entering the page of the account in column No. 11 of the index; and my clerk copies the money fiats into the counterfoil of the cheque book. He then takes them to the Accountant and gets his receipt for them on the counterfoil. When the drafts on the bank are made out in pursuance of the Commissioner's money fiats, I compare each with the entry in my account book previous to its receiving the Commissioner's signature, and mark it off therein, to prevent a duplicate draft from issuing. When the Commissioner has made money fiats for all the funds in the cause, it is marked off in my index as wound up. It is my duty in all cases of doubt or difficulty arising in my office, to lay the case before the Commissioner, and take his directions in relation thereto; such cases are of very frequent occurrence, especially with respect to the practice of the office in novel cases, and on the settling of the draft of the schedule. I have also frequently to apply to him about the title deeds, which are often difficult to get.

JAMES M'DONNELL.

Answers of R. D. Urling, Esq., to Questions in Paper No. 3. Paper No. 3.

Answers of R. D. Urling, Esq.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

The office of Examiner to the Third Commissioner, which office I have held since its institution. I was appointed on the first day of May, 1850.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

My duties are to assist the Third Commissioner of the Incumbered Estates Court in transacting his business. Those duties may with more particularity be described as follows:—1. To arrange the business of the Commissioner, and keep all the books, papers, and documents used in performing that business. 2. To keep a "diary," in which all appointments are entered by me, and a book in which all sales of estates in his office are entered; all "notices of motion" before the Commissioner are brought to me in the first instance, that it may be ascertained that they are formally correct and properly entitled; if so, they are initialed by me, and entered in the "diary" prior to transmission through the notice office. 3. To communicate with all persons who may come to the office of the Third Commissioner to give information or to make inquiries relative to cases in the office, and to give directions as to the course of practice generally. 4. To receive petitions which may come to the Third Commissioner to be fiated, to lay them before him for fiat, and to enter them in a book denominated "index of cases," with a reference to the book and page in which a copy of the fiat is entered; to send down fiated petitions to the Registrar's office, and to receive the duplicate copy petition which is filed in my office, and thereafter kept for reference. 5. To receive abstracts of title, ascertain that they are prepared in accordance with the rules of the court, and are properly verified and entitled; to enter them in the "Examiner's list," that they may be taken up and read in their due priority. 6. To direct that counsel's opinion shall be obtained on the abstract where it is long or complicated, and to give orders of reference to the Master of the Court to "settle the rental" when the case is in a fit state to proceed to a sale. 7. To read through every abstract of title lodged in the office, (whether counsel's opinion has been obtained thereon or not), and to make notes of the contents and purport of every deed and document referred to in the title. [The number of abstracts read and noted as above amounts to between 120 and 130 per annum, and the notes already made by me are collected and bound into seven quarto volumes]. 8. To lay the abstract of title together with my notes thereon (and counsel's opinion, if taken) before the Commissioner, and to give a copy of his observations and directions on the title to the solicitor having carriage of proceedings. 9. To receive draft conveyances from the Master of the Court, lay them before the Commissioner for approval, enter them in a book called the "conveyance book," transmit them to the General Clerk's office that attested copies may be made, and compare the engrossments of such conveyances with the original drafts. 10. To examine the maps on deeds of conveyance, to ascertain that the property conveyed is correctly delineated, to see that such deeds are formally correct and are stamped, and signed by all persons whose signatures as assenting parties or otherwise are required; to initial all erasures or interlineations on such deeds, and finally, to transmit them to the Registrar's office to be sealed prior to execution. 11. To examine all searches made in the "office for registering deeds"—to ascertain that they are made against the parties and for the periods required, and that all deeds "excepted" and "returned" on such searches are satisfactorily accounted for, or shown not to affect the lands sold; and for this purpose to direct affidavits or declarations to be made, and copies of "memorials" to be procured, and to examine such affidavits, &c., when made. To examine in like manner all "searches for judgments" against the present or former owners of the estate, and call for such evidence as may be necessary with regard to them. Any points on which I am not satisfied with regard to any of the above are reserved for the Commissioner's directions, and it is my duty to see that all his directions with regard to them are carried into effect. 12. To settle (provisionally) all draft "schedules of incumbrances," having regard to the notes of title and directions thereon, and to the searches: to ascertain that schedules are prepared in conformity with the rules of the court, and contain a full statement of all charges and incumbrances affecting the estate, arranged in their proper priority. 13. The schedule having been provisionally settled, and any points thereon reserved by me for the Commissioner's consideration having been disposed of, to see that a compared copy of such schedule is lodged in the General Clerk's office for public inspection. 14. To settle a "final notice to claimants," which states the lands which have been sold in the matter, and calls on all persons who object to the schedule so lodged as in No. 13, to file objections on or before a day named in the notice, and to appear on the "hearing," which I fix for a day about five weeks distant; also to add a schedule to the notice, setting out any old charges, judgments, &c., of which no information can be obtained; and, finally, to give directions as to the papers in which such notice is to be advertised. 15. On a day immediately prior to the "hearing" of the schedule, to examine the notice and other requisite papers and certificates, (seven in all); and to ascertain that such final notice has been served on the the six classes of persons required to be served by the rules of the court. 16. To enter all rulings made by the Commissioner in the "ruling book," and to keep that book indexed for reference; also to deliver attested copies of the rulings to all persons who may apply for them. [If short, such copies are made by my clerk on the spot; if otherwise, they are bespoken in a book kept for that purpose, and copied for the General Clerk's officer, where they are delivered to the party bespeaking them on payment of three half-pence per folio].

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Answers of R. D. Urling, Esq.

17. When the final schedule is settled by the Commissioner it is my duty to prepare a fair copy thereof for signature by him, and to enter on such fair copy all payments and other memoranda showing the disposition of the funds, so that every such schedule may present a complete list of all the payments, and answer the purpose of an account book. 18. To make out "orders for payment" in the "money-order book," and make a duplicate or counterpart of each order: the original order when signed by the Commissioner is transmitted by me to the Accountant's office. 19. To make out orders for investment of fund in Government stock, or for sale of stock; and after same are signed by the Commissioner, to transmit them to the Registrar's office. 20. To examine drafts on the bank for payment of cash, or for transfer of stock, and to initial them prior to their being signed by the Commissioners. 21. To make out orders for delivery of title deeds to such parties as may be entitled to them, and at a proper stage of the proceedings, myself to examine the deeds, or memorials, or copies, or other secondary evidence of the deeds, (in case they are not forthcoming), in order to ascertain that the "abstract of title" is a fair and correct one, and accurately prepared from the deeds. 22. To act as Secretary to the Third Commissioner, replying to communications which may be addressed to him in relation to the business of the office. 23. To examine the state of the various cases under the Commissioner's directions, and to write and transmit communications to solicitors on the subject of "dilatory cases," or cases which appear to have been a long tine in the office without any effectual step having been taken in them, and to enter such cases and everything done in relation to them in a book known as the "dilatory book," for reference. 24. To give orders for the taxation of costs; such orders directing notice of taxation to be served on the persons who appear to me most interested in attending the taxation.

In the performance of the duties above enumerated, I have the assistance of one clerk. His primary duty is the custody of the numerous documents which are filed in the office, and which, amounting at present to over six thousand, are constantly augmenting in number. My clerk also assists in the performance of those of the above duties numbered 1, 2, 3, 4, 8, 9, 13, 16, and 18. The others are performed by me personally. My office is open to the public from ten o'clock to two o'clock each day. From two to five o'clock, the time is devoted to the examination of schedules, searches, deeds, &c., which cannot be done amidst interruption. My clerk is occupied after two o'clock in indexing the books, copying rulings, and other matters. The most severe duties of my office are the noting of abstracts, and the examination of searches (number 7 and 11 above). Little assistance can be given in the latter by a solicitor, and none at all in the former. These are matters which necessarily occupy much time, and call for unremitting care and attention. I have found office hours insufficient for the performance of these duties in particular, and have, since my first connexion with the Commission, been compelled to read and note abstracts at my own residence after office hours. During the spring and summer of last year, there was an unusual pressure of this kind of business, and I found myself under the necessity of devoting about two hours every evening to it, in order to prevent an arrear from accumulating.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

The most convenient method of answering Question No. 3, will probably be, to give the history of a case in my office from its commencement to its close. At the beginning of every month, a number of newly-presented petitions come up to be fiated,—the mode of division being, that one-third of the petitions presented during each month are, at its close, taken to the office of each of the three Commissioners. Petitions are read, and orders (called "fiats") made thereon by the Third Commissioner in the intervals of more pressing business, and without the attendance of any person: about 1,380 petitions have been "fiated" or "dismissed" by the Third Commissioner since the Commission began operation in 1849. The fiat is made on the original petition, and is copied into a book, known as "Commissioner's fiat book;" the petition is then transmitted to the Registrar's office, and the duplicate copy filed in my office for reference. The next succeeding steps in the matter are chiefly of a routine character, and are taken in the various offices of the court, any application to the Commissioner being frequently unnecessary. If any application should become necessary, it takes place "on notice" to all parties who have "entered appearances" in the matter. The notices are examined by me prior to service, (as mentioned in No. 2, above). If the application is of an unimportant character, and does not affect any person interested, it is made as a "motion of course" on the sitting of the Commissioner, and before he enters into the "list." The distinct notices of motion served in this office amount to about forty per week; the number is however greatly increased at particular times; immediately prior to vacation, for example, when one hundred motions on notice are not unfrequently made and disposed of in a week. The Commissioner's "rulings" are made by him on the back of the copy of the notice, and are, on that or the following day, transcribed by me into the "ruling book," which is open for public inspection; copies of rulings are given to all who apply for them, (as mentioned in No. 16, above). As there is no machinery in my office for making attested copies of documents, attested copies of the longer rulings are delivered to the public in the General Clerk's office; attested copies of short rulings are given to applicants in my office, without any charge being made for them. If the circumstances of the case do not call for any deviation from the usual course, nothing further is done in my office until the lodgment of the abstract of title, (as mentioned in No. 5 and 6, above). The abstract being properly prepared, and in conformity with all the rules relating to abstracts, is entered by me in a list, to be read in

proper order: when read and noted by me, (as mentioned in No. 7, above), the abstract is laid, together with my notes, before the Commissioner, and any objections to the title, or other observations which he may make, are copied, and communicated to the vendor's solicitor. "Rentals" and "postings for sale," when settled by the Master, (on reference to him for that purpose), are lodged with me for final approval, and for directions as to the time and place of sale, mode of publication, &c. &c. These directions are given by me, subject to the Commissioner's approval; the case then passes into the "auction department," and nothing is done in my office until the title comes to be perfected, the "schedule of incumbrances" settled, registry and judgment searches examined, and title deeds compared with the abstracts; all of which operations are described in my reply to Question No. 2, above. The examination of searches is a very difficult and laborious operation, inasmuch as it frequently happens that from one to two hundred deeds and judgments appear on the searches, every one of which receives minute attention. The object of the vendor's solicitor is, in most instances, to show that these do not affect the estate sold in this court; and this renders the examination of affidavits and numerous other documents necessary. Also, the frequent consideration of such questions as—whether the owner of the estate for the time being had power to affect the estate by judgment or deed at the particular time when such judgment or deed appear on the search to have been given, and frequent inquiries as to the identity of the conuzors of judgments, also as to the identity of lands mentioned in deeds returned on the search; on the whole, this may be described as being one of the most laborious and responsible items of duty performed in this office—the reading and noting of the abstracts being the other duty which occupies much time, and calls for extreme care and attention. On an average, one hundred and twenty-five *new cases* pass through this office during the year. After the schedule is provisionally settled, and all questions on title are disposed of by the Commissioner, a day is fixed for the "hearing," when all parties interested in the case attend, and all who object to the schedule, as provisionally settled, appear by counsel, in support of their opinions: the schedule is then on argument "finally settled" by the Commissioner, and a day fixed for "allocation of the funds:" a fair copy is then prepared under my direction, on which the "allocation" is made: orders for payment are made out by me in a "money order book," (as described in No. 18, above); and after being copied and signed, are transmitted to the Accountant's office. The drafts on the bank are also examined and entered by me, before they are signed by the Commissioner. After discharge of all incumbrances, an order is made for payment of the surplus fund (if any) to the owner of the estate.

The above is an outline of a simple case in which no difficulty occurs. There are a variety of circumstances, however, which may occur to render a case more complicated; and some of these variations occur in the history of almost every case: several of them may as well be stated. It may may be found impossible to effect the service of the conditional order for sale, as directed; an application is then made to substitute service. An error or omission in the petition frequently renders the amendment of the petition, or the presentation of a supplemental petition, necessary. Peculiarities in the tenures may render it necessary that renewals, or fee-farm grants, or partition orders, or grants under the recent act, should be executed. Deeds of release by various parties are frequently required; or of conveyance to trustees for particular purposes; these deeds are, for the most part, submitted for approval by the Commissioner, prior to their execution. Applications by purchasers to be discharged, or for compensation, are frequent; also, applications to postpone a sale, or for a resale, or to sell subject to or else discharged from jointures, annuities, and other charges. It seldom happens that a fund can be allocated at once; sums of money are left in court for different reasons, and sometimes for considerable periods of time: separate accounts are opened with regard to some of these funds in court; the dividends paid annually or half-yearly to the parties entitled, and the principal reserved until some event, prior to the happening of which, the fund is not payable to any person. In some cases the whole or a part of the funds realized on a sale is transferred to the credit of some cause, or petition matter, in Chancery: in this case, however, the searches are examined, and title investigated, as in the ordinary case, for *non constat*, that every person interested is brought before the Court of Chancery; and no such transfer is made without notice to every person who appears to be interested in the fund. A great number of other circumstances may occur to render the case to a greater or less degree complicated, and different from the simple outline given above. It will scarcely be necessary to allude further to them. It may, however, be broadly stated, that any deviation from the usual outline of a case takes place under the directions of the Commissioner, or, at least, with his sanction; and that almost every application made to the Commissioner comes, in the first instance, under the notice of the Examiner, who exercises a general supervision over the details of a case, and is responsible for the carrying out of the Commissioner's directions. I have not alluded to the procedure of any other office in the court, the terms of Question No. 3 precluding a detail of more than the practice of my own office. Perhaps I may be allowed to remark, that an outline of the principles and practice of the court generally, has very recently been contributed by me to the "*Law Times*,"—the organ of the legal profession in England.

RICHARD DENNY URLING.

PAPER No. 3.

ANSWERS of RICHARD ROTHWELL, Esq., to Questions in Paper No. 3.

Answers of Richard Rothwell, Esq.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Examiner to Baron Richards, Chief Commissioner, and I have held that office from 31st December, 1850, to the present day (20th January, 1855), being upwards of four years.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

The general course of practice and mode of procedure adopted in my office is as follows:—

Petitions.—All petitions for sale, partition, or exchange, are, as of course, transmitted monthly from the office of the General Clerk to that of the Commissioners; and those laid before the Chief Commissioner are entered in a book, kept exclusively for that purpose in my office, and on being so entered, are submitted by me to the Chief Commissioner, with the accompanying abstract and all other papers lodged therewith. The Chief Commissioner then, as it suits his convenience, makes his fiat on each petition, either directing that a conditional order for sale shall issue, and stating on whom the same is to be served, or stating his objections, if any, to such fiat, and occasionally suggesting amendments or alterations in the petition. Whenever a fiat is made, authorizing the issuing of any order by the Registrar, I cause such fiat to be transcribed on the duplicate petition, which remains in the office of the General Clerk, and initial the same; but in case of objections by the Chief Commissioner to granting a fiat, a communication is forwarded by me to the solicitor having carriage of the proceedings informing him thereof, and requiring him to supply the information required. Indeed, in every case, I inform the solicitor by letter, or note, or otherwise, of the ruling on each petition.

Abstract of Title.—On production of the absolute order for sale, and a certificate of original deeds and documents lodged to vouch the abstract of title, the full abstract of title is brought into my office, and there examined in the various particulars required by the general rules and directions of the Commissioners; and where occasion requires I get over from the Record Office the deed box, and see that the documents and muniments of title are truly abstracted. I also see that the abstract is prepared in conformity with the form prescribed by the printed directions of the Commissioners of the 1st November, 1851, and that same is, in all other respects, correct; and if the abstract appears to me to be unobjectionable in point of form, and in all other respects correct, I authorize the solicitor to lay the same before his counsel, with the five queries approved of, by the general directions of the Commissioners of the 1st November, 1851. On the abstract and opinion being returned and re-lodged in my office, they are then sent in to the Chief Commissioner, with the petition and such documents as may be deemed necessary for his directions and rulings on the title.

Rulings on Abstract.—The rulings and directions of the Chief Commissioner are entered in the books, kept in my office for that purpose, called the books of "Rulings on Title" (of which there are now fifteen volumes in my office), and notification thereof given in each case to the solicitor having carriage of proceedings, who thereupon takes out a copy of such rulings, and should any objections or questions be raised upon the abstract of title by the Chief Commissioner, which is most generally the case, verified replies are lodged by the solicitor and examined by me previously to submitting them to the Chief Commissioner for his further consideration, and such original deeds or other documents as the Chief Commissioner may by his previous rulings have required to see, I then obtain from the Record Office, and lay the same, together with the verified replies of the solicitor, again before the Chief Commissioner for his final ruling thereon.

Searches.—Searches are sometimes brought in with the abstract of title, but that is not usually the case; but when the title, as stated on the abstract, is approved of by the Chief Commissioner and searches directed by him, the draft requisition for all such searches is then settled and approved of by me, and when brought in are examined by me as soon as possible, and if any thing turns up on the searches not stated or explained on the abstract, I bring the same before the Chief Commissioner, by whom the matter is further investigated.

Rental and Posting for Sale.—Where counsel has given a favourable opinion on the title, I certify the same to the Chief Commissioner, and thereupon he refers it, as a matter of course, to the master to settle the rental; and the draft rental, when so settled, with a posting for sale, is brought by the solicitor before the Chief Commissioner to approve of and finally settle the same, and to fix a day and place for sale.

The posting for sale is entered in a book, kept in my office for that purpose, called "The Sale Book." All sales had in the country require confirmation by the Chief Commissioner.

Lodgment of Rentals.—Fifty printed rentals are required to be lodged within one week from the date of the posting for sale, and if not so lodged, my duty is to require the solicitor to show cause before the Chief Commissioner why he has so omitted or neglected to lodge the same.

Private Sales and Country Auctions.—In cases of private sales or offers, the proposals are entered in a book, kept for that purpose in my office, and on notice to all parties who have appeared, a motion is made in chamber to consider the offer which is either rejected or confirmed as the Chief Commissioner may see fit, and ruled accordingly on the same book. If in favour of the offer, I send a certificate of the acceptance thereof to the Auction Clerk, which authorizes the preparation of the conveyance; and in cases of provincial sales,

they are in like manner confirmed or rejected on motion before the Chief Commissioner, and a like certificate sent by me to the Auction Clerk.

Conveyances.—The sale having been had, the draft conveyance is settled by the master, and by him sent to my office, and the same is then examined by me and checked with the rulings of the Chief Commissioner on the title and rental, preparatory to laying same before the Chief Commissioner for his perusal and approval, and when disposed of by him, I send the draft conveyance to the office of the General Clerk.

Final Schedule of Incumbrances.—After the sale is had and purchase-money lodged, a rough sketch of the draft final schedule of incumbrances is brought in to my office, with all the searches and explanatory schedules in respect to the registry searches. The searches are then compared in my office with the draft requisition, and with the explanatory schedule of searches (which explanatory schedule contains abstracts of every act excepted, and also of every act returned on the registry searches), and also with all the judgment searches, and the rulings and directions of the Chief Commissioner, and with the petition, abstract, rental, reports, and decrees in equity causes, claims, certificate of lien, certificate of the Paymaster of Civil Services as to land improvement and drainage, and having examined all these matters very fully, the solicitor having the carriage of the proceeding, arranges under my superintendence the draft final schedule for the ultimate adjudication of the Chief Commissioner, in which draft it is my duty to see that no incumbrance or act that could in any way affect the property sold is omitted, and also to see that proper explanatory observations are affixed to each item or claim therein.

Final Notice to Claimants and Incumbrancers, and service and publication thereof.—When the draft final schedule of incumbrances is so settled by me, it is brought before the Chief Commissioner for his approval for lodgment, which he endorses thereon, and fixes a day for the hearing of same, on which day all parties interested are required to attend before him, and also directs in what newspapers such final notice is to be inserted, and what parties are to be served with notice of the lodgment of same.

A duplicate of the final schedule of incumbrances is then examined in my office with the copy approved of by the Chief Commissioner, and sent to the office of the General Clerk for inspection by the public; the services of the final notice on all parties ordered to be served therewith and the due publication thereof are checked and certified in my office, previous to the hearing of the final schedule by the Chief Commissioner.

Hearing of Final Schedule.—The schedule of incumbrances is heard before the Chief Commissioner on attendance of all parties, either by counsel, solicitor, or in person, on the day appointed in the final notice, being about five weeks from the date of that notice, and written rulings are made by the Chief Commissioner on every item or claim and incumbrance thereon, which rulings are transcribed in my office and placed on the schedule opposite to each item ruled, and being compared by me, they are signed by the Chief Commissioner generally the following day.

Allocation and Distribution of the Fund.—Upon these rulings being made and signed by the Chief Commissioner, he directs that the case shall be again entered for further hearing for some day, not earlier than one week after he has made his rulings, and upon that hearing he proceeds to distribute the fund, save so far as any of the parties intimate an intention of appealing to the full court against his rulings. It happens also occasionally that the rulings made on the first hearing of the schedule are varied or modified by the Chief Commissioner himself, on the further hearing of the schedule; and, of course, it frequently happens that a final schedule cannot be disposed of or ruled in one or two days; oftentimes it takes very many days, and sometimes weeks to dispose of a heavy schedule, consisting of a great number of conflicting items and claims; but as far as practicable the non-disputed items, or items which are not affected by the controversies existing in respect of other items and claims, are disposed of, and ruled, and paid, where that can be with safety done. When the final schedule is ruled, either wholly or partially as above explained, money fiats are then prepared in my office for payment of the various incumbrancers in whose favour rulings have been made, which fiats, when signed in duplicate by the Chief Commissioner (one part of which is always kept in my office), are sent to the Accountant to enter, and by him to the Registrar to have money orders, payable at the Bank, made out in pursuance thereof; every money order when made out by the Registrar is then sent to me to be examined and initialed, previously to their being signed by the Chief Commissioner, and when so examined by me, and found to be in conformity with the fiat of the Chief Commissioner, it is signed by him and then by another Commissioner and returned to the Registrar, whose duty it is, when so signed and sealed by him, to deliver it to the proper party, by whom it is to be presented at the Bank for payment.

Surplus or Residue of Fund.—In case there shall be a surplus for the owner, which not unfrequently occurs, my duty is to see that all the creditors and incumbrancers in whose favour fiats were made, have been paid, and to make all necessary calculations (which latter duty I have to perform in all cases), and before paying the surplus to an owner, an affidavit is required that such surplus is not charged, assigned, or put in settlement.

Trust Funds.—Various sums have been allocated in different matters to the trustees of particular deeds or settlements; but the trustees being dead, or the trusts not full, those sums cannot be paid out till new trustees are appointed. These sums are, generally speaking, invested by order of the Chief Commissioner, and retained to the separate credit of such trust, and in most of these cases the tenant for life of the fund is paid the dividends by Bank orders, obtained by him from the Commissioners from time to time.

Motions and Rulings thereon.—In the course of the proceedings there are various rulings

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Answers of Richard Rothwell, Esq.

made by the Chief Commissioner in chamber, on notice and otherwise, which are entered in books kept in my office for that purpose, of which books there are at present eleven. These rulings, when it is considered necessary that they should be made orders of the court, are entered by the Registrar on the minute thereof, signed by the Chief Commissioner, being brought into his office, but all these rulings are subject to be farther considered, if any party desire that they should, by the full court.

Partitions and Exchanges.—In cases of petitions for partition or exchange, the petition and abstract of title are brought into the chamber of the Chief Commissioner, as in cases of petitions for sale, and if the ruling of the Chief Commissioner on title be favourable, a fiat is made by him on the petition, authorizing the entering of an order directing the service and publication of a notice to all parties interested, and requiring them to state their objections, if any, to such proposed partition or exchange, which is advertised and served as directed by the Chief Commissioner, regard being had in this respect to the practice as prescribed by the several general rules of the court—viz., the 38th, 39th, 40th, and 41st general rules, and to the forms of petition as settled by the Commissioners, which will be found in any printed book of the practice of their court. The advertisements and affidavits of service of such notice are then examined in my office, and the case entered in the list of the Chief Commissioner for hearing, who either dismisses the petition or makes a rule thereon, directing that a partition or exchange shall be had, and in most cases he directs that it be referred to the Master to approve of a proper person to survey and partition the lands, and, if necessary, to make a map or terchart thereof; and the Master is by the same order generally directed to settle the draft final order for partition or exchange, which, on being settled by the Master, is submitted, together with the survey, map, and surveyor's report, to the Chief Commissioner for his final approval.

Delivery out of Deeds, &c.—All deeds and muniments of title delivered out from the Record Office to parties, either temporarily or absolutely, by direction of the Chief Commissioner are so delivered out upon fiats prepared in duplicate in my office, and signed by the Chief Commissioners, a copy or duplicate of each of which fiats is always kept by me, and when that deed or document is to be retained for a limited time only, the fiat expresses the time when the same is to be returned, in order that the Record Officer may enforce the due return thereof.

Books kept in Examiner's Office.—The following books are kept in my office:—Petition Book, one volume at present; Abstract of Title Books, two volumes at present; Rulings on Title Books, fifteen volumes at present; Order Books, eleven volumes at present; Conveyance Books, two volumes at present; Money Fiat Books, twelve volumes at present; Money Ledgers, two volumes at present; Sale Books, two volumes at present; Proposal Books, two volumes at present; Schedule Ruling Book, one volume at present; Deeds Delivery Book, two volumes at present; Book of Statements of Facts, one volume at present.

As to Inquiry No. 2.—The nature and particulars of the duties performed by me, as such Examiner, will, I should hope, appear sufficiently by the foregoing statement, and as I think it would only tend to unnecessary prolixity to repeat them here, I venture to omit doing so, but if required I shall supply this omission at any moment.

Time occupied by Examiner.—The time occupied by me in performance of the foregoing duties is, on an average, from ten o'clock in the forenoon to half-past five or six o'clock, afternoon, and sometimes to seven or eight, P.M., and about two hours in the evening or morning of each day, according as business presses.

For the first two years of my appointment, the duties of the office of examiner devolved on myself alone, but they were then much lighter than at present, inasmuch as the Chief Commissioner at the first commencement of the Commission did not take any chamber business, and was then and for some time subsequently in the habit of assisting in the full-court sittings of the Commissioners only. The chamber business was therefore originally discharged by the two other Commissioners, but that is not the practice at present, nor has it been for the last four years. For the last two years I have been allowed a clerk, at a salary of £100 a-year, to aid me in the discharge of my several duties; and he is generally engaged with me, on an average, from ten o'clock, A.M., to half-past five o'clock, P.M., daily.

Rd. Rothwell.

Answers of Thomas Welsh, Esq.

Answers of Thomas Welsh, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Keeper of the Deeds, to which I was appointed on the 23rd December, 1850, having previously held that of Examiner to the Chief Commissioner, the Right Honourable Baron Richards.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

The nature and particulars of the duties pertaining to this office performed by me, with the aid of two Assistants, are the reception and safe custody of all title deeds, papers, and other muniments of title relating to estates brought into this court, and their production to the court, the Commissioners, or the Master, when required, or to such other persons as they may authorize to inspect or receive same, and the issuing of the various certificates

in relation to such deeds and documents required to be used in the course of the practice of the court. These particulars will more fully appear in my answer to the third question and the form therein referred to. The office hours prescribed by the general rule of 18th October, 1849, viz.:, from 10 o'clock, A.M., till 4 o'clock, P.M., during the periods appointed for the sitting of the court, and from 12 at noon till 3 P.M., on all other days, are fully occupied in the discharge of those duties.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

In reference to the general course of practice and mode of procedure adopted in this office, I have to state that it can alone be carried out by the utmost accuracy in the system of book-keeping adopted; and as well for the purpose of brevity as of distinctness in replying to this question, I have adopted the annexed form, setting forth the number and nature of the books kept, accompanied by such explanatory observations as appear to me best calculated to answer the objects contemplated by this question; and to which form, therefore, I beg leave respectfully to refer the Commissioners, as embodying my answer thereto.

Book No. 1.—For entry of boxes for reception of deeds, &c., lodged from the opening of the Commission till April, 1850; 66 folios, with index. This book was originally kept in simple alphabetical order, but the indexes became so voluminous in little more than a year as to be highly inconvenient as a book of reference in daily use; in consequence of which book No. 2 was opened.—See observations thereon.

Book No. 2.—For entry of boxes from opening of the Commission to the present time; 190 folios, with index, condensed in dictionary form. These entries include all those from book No. 1, and contain the names of the owners, petitioners, and solicitors, in each matter, with the distinguishing number now affixed to each box, the indexes whereof are arranged in dictionary form for more convenient reference. These boxes are now placed in consecutive numerical order in the several record rooms, and as well for the purpose of maintaining the consecutive numerical arrangement for facility of reference as for preserving sufficient space in these rooms for new boxes daily lodged, those boxes which contain deeds and documents pertaining to estates sold and funds distributed, are removed to apartments in another building with new distinguishing numbers, the former numbers being transferred to the new boxes which thenceforth occupy the spaces thus left vacant. It may be right to observe that the "Record Rooms" are only capable of containing 1,662 boxes, whereas there are at present in the custody of the keeper of the deeds no less than about 2,050.

Book No. 3.—Containing entries of deeds, &c., lodged from January 1850, to April, 1851; 153 folios, with index. No. 4.—Containing entries of deeds, &c., lodged from May, 1851, to December, 1852; 195 folios, with index. No. 5.—Containing entries of deeds, &c., lodged from January, 1853, to the present time; 180 folios, with index. In these entries (entitled in the several matters) appear the names and addresses of parties making each lodgment, and of the solicitor having carriage of sale, the number and description of the documents, and whether lodged subject to any lien, or claimed or not, or by whom, with other particulars; the documents thus lodged are compared with an accompanying schedule, in each case thenceforth kept in the office, the items therein being numbered to correspond with those endorsed on each document. These entries, as also their corresponding indexes, having become inconveniently voluminous for daily reference, a book now called the general ledger, No. 14 in this form became indispensable.—See observations thereon.

No. 6.—Containing receipts for documents delivered on undertaking to return same within a given time (from February, 1850, to December, 1850); 460 folios, with index. No. 7.—Containing receipts for documents delivered on undertaking to return same within a given time (from February, 1851, to December, 1852); 460 folios, with index. No. 8.—Containing receipts for documents delivered on undertaking to return same within a given time (from January, 1853, to December, 1854); 488 folios, with index. No. 9.—Containing receipts for documents delivered on undertaking to return same within a given time, newly opened, January 1855. These books require daily examination, for the purpose of enforcing the compliance of defaulting parties with their several undertakings.

No. 10.—Containing receipts for deeds and documents finally delivered by order of the Commissioners or the Master, from July, 1850, to July 1851; 180 folios, with index. No. 11.—Containing receipts for deeds and documents finally delivered by order of the Commissioners or the Master, from July, 1851, to December, 1852; 300 folios, with index. No. 12.—Containing receipts for deeds and documents finally delivered by order of the Commissioners or the Master, from December, 1852, to the present time; 245 folios, with index. By reference to these books, in conjunction with the four preceding ones, means are afforded of accounting for all deeds and documents originally lodged in each matter if not found with those remaining in their several appropriate boxes; and such reference is frequently necessary for the purpose of answering requisitions in respect to them from the Commissioners, the Master, or solicitors having carriage of the proceedings in each matter.

No. 13.—Lien ledger, from opening of the Commission to the present time; 150 folios, with index condensed in dictionary form. This book contains a transcript from all the daily lodgment books of such entries only as are accompanied by lien claimed, indicating the names of such claimants, and the folios in such lodgment books where particulars may be found if necessary, thus affording great facility for answering constant inquiry or for

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Answers of Thomas Welsh, Esq.

issuing certificates of the parties claiming lien if any, or if no lien claimed, according to the fact, and avoiding the necessity (in a great majority of cases) of referring to the several lodgment books or their extremely voluminous indexes for such information.

No. 14.—General ledger, from opening of the Commission to the present time; 494 folios, with index in dictionary form. On the completion of the book No. 13, its utility was found to be such as to suggest the expediency of adopting a like principle in reference to as many other subjects of constant inquiry as possible, the present ledger has been therefore compiled by transcripts (with condensed indexes) from other books, and conveys at one view the following information, viz.:—1. The number of each box, and consequently its particular position in the record rooms. 2. Whether any deeds or documents have or have not been lodged in any particular matter; and if so, by whom, with the number and folios in the day books in which the full particulars of such lodgments may be found if necessary. 3. Such estates as have been sold and funds distributed are distinguished from those still undisposed of. 4. The information contained in book 13 is also supplied by this book, which (in this particular) forms a duplicate affording additional convenience for reference. The books No. 13 and 14 are posted up daily, and all deeds and documents lodged or returned during each day are placed in the several boxes to which they belong, and deposited in the record rooms; all papers or documents in use during each day are also duly collected and arranged, and each document is returned to its appropriate place before the closing of the office.

THOMAS WELSH.

Answers of John Locke, Esq.

ANSWERS of JOHN LOCKE, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

Auction Clerk, since 1st January, 1851.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

The duties more immediately connected with the preparations for sales; the sales and the lodgment of monies in bank; the time, 10 A.M. until half-past 4 P.M., on sale days often until 5, and even 6 o'clock.

3. Give a detail of the general course of practice and mode of procedure adopted in your office?

1. Registering the postings for sale. 2. Examining and attesting the newspaper advertisements for sale. 3. Attending and taking down the biddings, and the Commissioner's special orders at the public sales. 4. Comparing and certifying correct copies of each rental of estates sold, to be lodged with the Master. 5. Issuing orders for all lodgments of money in bank, and calculating the interest due on each lodgment. These duties require the keeping of three series of books. 1. The book in which postings for sale are entered. 2. The sales book, (court, provincial, and by private contract). 3. The bank titles book, in which the titles of each matter are registered.

There are four classes of certificates issued. 1. Certificate of advertisements of the posting for sale. 2. Certificate to lodge money. 3. Certificate of name of each purchaser, and lots and amount purchased by him. 4. Certificate of particulars of sale of all the lots in each estate sold. The two last are necessary for all purposes, in which evidence of the sale is required, either here, or elsewhere.

Making searches through the sales books and rentals, in order to satisfy inquiries made for public objects, or by private individuals, involves likewise much trouble and expenditure of time, more especially as there is no assistant in this office.

JOHN LOCKE.

Answers of Michael O'Loghlen, Esq.

ANSWERS of MICHAEL O'LOGHLEN, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I was appointed to a clerkship in the Secretary's office, in April, 1850; and I now hold the office of Assistant Secretary to the Commission.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

My principal duty consists in the drawing and issuing of the cheques for payment of cash, and transfer of stock, inspecting powers of attorney, taking the receipts and affidavits of the different creditors, and drawing the orders for the sale of stock and investment of cash, and when not thus employed, or when the Secretary is engaged in court, or absent from any other cause, performing the duties which devolve upon him in his capacity of Secretary.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

I have to refer you to the Secretary's statement, which accurately details the course of procedure in our office.

M. O'LOGHLEN.

ANSWERS of G. P. RICHARDS, Esq., to Questions in Paper No. 3. PAPER No. 3.

Answers of G. P. Richards, Esq.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

First Assistant in Registrar's office; appointed 26th November, 1849.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

Reading affidavits of service of conditional orders for sale and orders for attachment, and making same absolute, on production of certificate, if no cause shown; making out attachments and keeping an entry of same; drafting injunction orders to put purchasers into possession of lands sold; drafting miscellaneous orders made by the Commissioners and the Master in Chamber; attesting all copies of documents issuing from the office; signing requisitions for the Paymaster of Civil Services and Secretary to the Board of Works, to ascertain if any and what sum is due for drainage, &c., and forwarding same; making out certificates to stay proceedings in Chancery, on conditional orders for sale being made absolute, where a cause has been pending in that Court; issuing all orders made, and copies of documents going out of the office; taking the scrivenery charges thereon, and entering same in a book kept for that purpose; checking the books of the gentlemen who engross and enter the orders, and who make copies of documents filed in the office; comparing deeds of conveyances, and certificates of payment of purchase money with the Secretary when signing same, and attending Commissioners to witness the execution thereof; answering numerous questions relative to the practice of the Court, &c. General office hours from 10 till 4 o'clock; but sometimes, from press of business, later hours must be observed.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

A full record of the proceedings kept on all matters in Court, from the filing of the petition to lodging schedule of incumbrances; a record of all conveyances executed by the Commissioners, giving the date of conveyance, name of purchaser, amount of purchase money, and the lands conveyed, with their situation and contents; attaching the seal of the Commissioners to all conveyances executed; entering and filing all objections by tenants, &c., to the notice under the 13th General Rule; entering and sealing all notices to claimants' tenants, and notices of partition and apportionment; entering and filing answers received to the requisition forwarded to the Paymaster of Civil Services, and Secretary to the Board of Works, with the amount returned due for drainage, &c.; making out certificates of conveyances, executed for the purpose of discharging receivers under the Court of Chancery; issuing certificates of objections, or no objections, as the case may be, by tenants, &c., to the notice, under the 13th General Rule, on settling rental before the Master; similar certificate of objections to partition and apportionment; entering and filing all petitions dismissed by the Commissioners; filing copies of notice to tenants; filing copies of all conveyances executed by the Commissioners; sealing all orders and certificates of lodgment of purchase money; issuing certificates to purchasers for the purpose of grounding application to the Master to get out deeds and leases relating to the lands sold; engrossing all orders that pass the Seal of the Court, and entering same in books kept for that purpose.

G. P. RICHARDS.

ANSWERS of ANDREW E. CARLETON, Esq., to Questions in Paper No. 3.

Answers of Andrew E. Carleton, Esq.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I was appointed to the office of Second Assistant in Registrar's office in the month of February, 1851, and have thus nearly completed a term of three years.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

I shall first enumerate the books committed to my charge, which are as follows:—Record of Proceedings, Record of Conveyances executed, Paymaster of Civil Services' Book, Index to Objections by Tenants, Index to Objections to Partition or Apportionment, Book of Dismissed Petitions. In the Record of Proceedings, which consists of eleven folio volumes, the notices to tenants and to claimants, the dates and proceeds of sales, also the date and import of every order pronounced by the Commissioners, are minutely recorded. In the Record of Conveyances executed are entered the names of the grantees, the dates of such conveyances, amount of purchase-money, and description of property so conveyed. The Paymaster of Civil Services' Book contains the substance of his certificates as to the amount of moneys chargeable under the following Acts:—Land Improvement, Arterial Drainage, Labouchere Drainage, Piers and Harbours, which certificate relates to lands about being sold, and is essential to the proceedings of the Court. In the Index to Objections by Tenants the names of the objectants to the notice, under the 13th General Rule, and those of their solicitors (if any) are inserted. The Index to Objection to Partition or Apportionment contains the names of the objectants to either of these procedures, and those of their solicitors (if any). The Book of Dismissed Petitions comprises the title of the matter, date of filing of each dismissed petition, with the Commissioner's adjudication thereon. It is also my duty to compare accurately each notice to claimants with the absolute order for sale, also seal and enter it in the notice book, previously to its being

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Answers of Andrew E. Carleton, Esq.

signed by the Registrar. I have likewise to seal and enter in the notice book each notice to tenants. I am required to draw certificates of sale and conveyance, as being requisite for discharging the Receiver in Chancery matters, in order to which the conveyance must be very carefully perused. I have also to give certificates of objections or no objections, as the case may be, to the notice, under the 13th General Rule, for the purpose of settling the rental, likewise in cases of partition or apportionment. Another of my duties is, to receive from the solicitors the deeds of conveyance to be executed, see that such deeds have been duly examined by the Commissioner's Examiner, and approved by the solicitor having the carriage of the sale; also observe that the proper documents be lodged therewith. To each of these conveyances, and the accompanying memorial, I am required to affix the seal of the Commissioners, prior to such conveyances being executed. These are my exclusive duties, as distinct from those performed by the First Assistant, in conjunction with whom I have also to assist generally in the office of the Registrar, in which I am engaged daily, from ten to four o'clock, and later, if necessary.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

With regard to the general course of procedure in this office, I have only to refer you to the report of the First Assistant, in which it is fully and clearly defined.

Andrew E. Carleton.

Answers of T.V. Richards, Esq.

Answers of T. V. Richards, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

The office I hold under the Incumbered Estates Commission is that of First Assistant to the General Clerk; having held office under the Commission since December, 1849.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

The time occupied by the discharge of my duties is, as prescribed by the General Rules, from ten till four o'clock each day; and on some occasions, when the duties of the office require it, to a later hour. My duty is the management of the general course of business in the office of the General Clerk during his absence, his presence being required, and his time exclusively occupied in the discharge of his duties as taxing officer in a distinct apartment, and for the carrying out of the details of which the Commissioners hold me responsible. I have endeavoured to enumerate such details in answer to question No. 3. The care of the books of the office (with the exception of the book containing the entries of the petitions lodged, which is kept by the Notice Clerk), and the several other duties of the office, are divided between me and the Second and Third Assistants to the General Clerk in the following manner: I keep the accounts of the office, as set forth hereafter, and pay at the end of each week to the scrivenery clerks the amount of their accounts for the copies made by them during that period, take their receipts for same, and enter them in the book kept for the purpose. I have also the management and direction of the scrivenery clerks and their office, and to see, in each instance where an attested copy is ordered of any document in the office, that a sufficient sum of money is lodged as a deposit to pay the clerk for copying it, there being no other fund applicable to that purpose, and keep a book properly indexed, containing the entries of claims lodged by creditors, in the general office. I attest copies of documents issued from that office, by affixing thereto the signature of Mr. Fitzgerald, the General Clerk, in his absence, and also sign the various certificates which the rules require to be given from this office. I administer oaths to parties bringing affidavits to the office to be sworn and filed, which is also part of the duty of Mr. Stewart, the Second Assistant, by whom I am also assisted in inspecting all affidavits, statements of facts, &c., sworn out of Dublin before Masters Extraordinary of the Court of Chancery, or other qualified persons, and in the duty and responsibility of seeing that same are in accordance with the general rules, and of receiving and inspecting the petitions brought in for lodgment in the office, whether sworn in the office or elsewhere, and in the former case to administer the oath to the party verifying same, and see that each petition is in proper form in accordance with the rules, being responsible in each instance that such is the case; and where an order is made by a Commissioner that a petition shall be amended, to see such amendment is properly made and duly verified. Mr. Stewart, the Second Assistant, as part of his special duty, has charge of the books in which appearances are entered, which he keeps duly indexed, and also enters in the book kept for the purpose, and indexes all objections to the draft final schedules, which are here lodged, while the Third Assistant, Mr. Burrowes, has charge of the book containing the entries of the draft final schedules, and the entering and indexing of same. As regards the other and more general business connected with the general office—viz., the care and proper arrangement of the papers in the office, the production of same for public inspection, and their restoration to their proper places after such inspection or having been copied; the checking of the certificates of appearances, objections, and claims with the books of the office, the comparison of affidavits when solicitors bring in their copies to attest, in accordance with the fourth general rule, the duty of furnishing the taxing officer with such papers as he may require on taxation of costs from this office, such as petitions, abstract of title, conveyances, &c., we divide as equally as possible between us. We have also the charge of another office, in which all papers for which the limits of the general office do not afford

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Answers of T. V. Richards, Esq.

sufficient space are removed, which are principally those documents, such as affidavits, objections, draft conveyances, &c., the dates of the lodgment of which extend from 1849, the date of the opening of the Commission, to the end of the year 1852.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

The petitions, on which all future proceedings are founded, are lodged in the general clerk's office, and at certain fixed periods transmitted thence to the Commissioners for their fiats, and having been fiated, and the orders drafted by the Registrar, they are returned to the general office, and there retained for the inspection of the public or such other uses as they may be required for. All affidavits, on which applications to the Commissioners are grounded, or of any other nature whatever (with the exception of those verifying documents which are lodged in the secretary's office), are filed here. Appearances are entered, and the appearance-books kept here, and all claims by creditors lodged, and proper entries of the lodgment of same made in the books kept for the purpose, and certificates of appearances for use on applications to the Commissioners or Master, and of claims for settling final schedule or other purpose are here given. The copies which may be ordered of any documents, save those lodged in the Secretary's office, are here bespoken, attested, and given out, an entry is kept of the amount received for them, and of the sums paid weekly to the scrivenery clerks for making such copies, and a debit and credit account kept, and deposits are received here on the documents bespoken. The drafts of the conveyances from the Commissioners to purchasers are sent to the general office, on being approved of, and an attested copy is bespoken by the purchaser's solicitor, from which the deed is engrossed; and when the engrossed deed is brought in, the draft is sent to the office of the Examiner of the Commissioner who may have the direction of the matter, for the purpose of comparison, and when same is completed the draft is returned here, and afterwards retained. The draft final schedules of incumbrances are sent down to this office to remain for a fixed period, during which parties may file objections thereto, after which period has elapsed, however, the schedule is retained here. The objections to such schedules are filed here, and certificates of same given when required for the settlement of the schedules. The abstracts of title lodged for perusal of the Commissioners previous to a sale are verified, and received here, and from hence transmitted to the office of the Commissioner having the direction of the case, and having been read and approved of by him, are returned to the general office, and there remain. Statements of facts, whether for general directions or for conversion of leases in perpetuity into fee-farm grants under the late extension act, are here verified and lodged; and when, as in the case of the petitions, they are fiated by the Commissioners, they are retained here. Here, also, consents which have been made rules of court and the reports of the Master of the Court are filed. Copies of rulings made by the Commissioners and the Master are given from this office to the parties who have ordered them, and the copies of affidavits brought in by solicitors for attestation are compared and attested.

THOMAS V. RICHARDS.

Answers of Thomas Nichols Moore, Esq.

ANSWERS of THOMAS NICHOLS MOORE, Esq., to Questions in Paper No. 3,

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Clerk to the Chief Commissioner's Examiner, to which I was appointed on the 17th January, 1853, and which I have held for now more than two years.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

My duties are as follows:—To enter petitions in reference book; to copy the fiats of the Chief Commissioner on the duplicate petition; to enter abstracts of title in the abstract book; to examine all such abstracts, page by page, to ascertain if the several necessary formalities have been complied with, and to certify the result; to enter the Commissioner's rulings on title; to compare engrossed conveyances, and examine the maps annexed to such deeds; to check the requisition for searches in accordance with the directions of the Chief Commissioner; to compare with the registry search the schedule explanatory of the several acts excepted and returned on such search; to mark and initial such judgments and claims as are inserted in the draft final schedule of Incumbrances; to check the service of the final notice to claimants, to ascertain if it have been published in the newspapers as directed, and to certify whether or not the usual requirements have been complied with; to examine affidavits of service of partition notice, to ascertain if it have been advertised agreeably to the directions of the Chief Commissioner, and to certify the result to him; to copy the Commissioner's rulings on the final schedule of Incumbrances; to draw fiats for payment in pursuance of such rulings; to post those fiats in the ledger; to enter notices in the Commissioner's list; to compare and initial orders when entered by solicitors in the order books. In discharge of which duties my time is occupied on an average from ten o'clock, A.M., to half-past five o'clock, P.M., daily, except during the long vacation.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

The course of practice adopted in the Chief Commissioner's Chamber is generally as

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Answers of Thomas Nichols Moore, Esq.

follows:—On the order for sale being made absolute, to apply for a fiat for delivery out of the original deeds lodged, to enable the solicitor to prepare a full abstract of title; and that document being brought in and verified (with an epitome of the abstract), if found conformable to the general directions of the Commissioners, an order is given to have it submitted to Counsel, who having written his opinion on the title, and the abstract being relodged, it is laid, together with the petition and accompanying documents, before the Chief Commissioner, who expresses his opinion in writing thereon; the directions thus given by him are entered in the title ruling book, and a communication forwarded to the solicitor informing him thereof. If any objection be made, or further information required on any subject connected with the title, replies are sent in to such inquiries, and the papers in the case are again laid before the Commissioner. When the title is approved of, an order of reference issues, directing the Master to settle the rental and posting for sale, which, when settled, are brought before the Chief Commissioner for his approval, and for the purpose of fixing a day for the sale of the estate. In the interim the draft requisition for searches is prepared settled and lodged; and when the search is made, a schedule explaining the acts excepted and returned thereon is brought in, compared, and examined. After the estate has been sold, the purchase money lodged, and the conveyances executed, the draft final schedule of incumbrances is prepared and brought in; and having been settled by the Examiner, is approved of by the Chief Commissioner, and a day appointed for further settlement thereof by him. The notice of lodgment thereof (final notice) is then served and advertised; the time for lodging objections to the draft schedule as prepared, having expired, and the day appointed for the hearing thereof, having arrived, the Chief Commissioner makes his rulings on the schedule, allowing or disallowing the several claims therein, and altering the priorities of such claims, as the case may be: the matter is then re-entered in his list "to pay out" for that day week, when having confirmed or amended his former rulings, money fiats are drawn, in pursuance of which the Registrar prepares orders on the Bank for payment, which are signed by two Commissioners and by the Registrar, sealed with the seal of the Commissioners, and given out by the Registrar to the parties entitled to receive them. In cases where a petition is presented for the partition of lands, the fiat of the Chief Commissioner orders a notice to issue under the 38th General Rule, which is advertised and served as directed; and the day for hearing objections, if any, to the proposed partition having arrived, and the due service and publication of such notice having been certified to him, the Chief Commissioner pronounces an order, authorizing the Master to appoint a surveyor, if necessary, to survey the premises, and directing that a draft final order for partition be prepared for approval by the Commissioners, which draft, with the petition, &c., is submitted to the Chief Commissioner, and when approved of by him sent to the Registrar to be entered in his books.

Thomas Nichols Moore.

Answers of William J. Gillespie, Esq.

Answers of William J. Gillespie, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

First Assistant to Accountant. My appointment bears date under Treasury Minute, 17th December, 1852.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

I have the sole charge of keeping, by double entry, the "estates ledgers," now *five* in number, containing a separate and detailed account of each estate sold under the Commission, and I have to compare and balance those accounts yearly with the Bank of Ireland.

The accounts now extend through 1,637 folios, and the greater portion of them being composed of two or more descriptions of funds, viz., cash, consols, and stock, and the state of the account, therefore, frequently varying, the labour and their responsible nature is thereby greatly increased.

The ledgers I have to post daily, to enable me to certify the balances every morning for a settlement of the Commissioner's fiats; and I have also to render balances for certificates of funds (and be responsible for their accuracy, and the former to the Chief Accountant), which are almost unceasingly being applied for throughout the day.

The hours prescribed by the Commissioners are from ten till four o'clock, but the absolute necessity of posting the accounts daily to a point, (as before explained), frequently obliges me to exceed those limits; and when balancing the books with the bank, a duty which can only be accomplished during the summer vacation, I have to devote almost the entire of it for that purpose.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

The Chief Accountant having fully answered this question with regard thereto, I respectfully refer to his communication.

Wm. J. Gillespie.

ANSWERS of RICHARD F. FRIZELL, Esq., to Questions in Paper No. 3.

Answers of Richard F. Frizell, Esq.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Assistant Notice Clerk, to which I was appointed on the 1st April, 1850.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

My time is fully occupied each day from ten until four o'clock.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

For the nature and particulars of my duties, and a detail of the general course of practice, and mode of procedure adopted in this office, I beg leave to refer to the report of Mr. Robert K. Piers, Notice Clerk (to whom I am Assistant), as the duties therein described are performed by me conjointly with that gentleman.

RICHARD F. FRIZELL.

ANSWERS of HENRY FAWCETT, Esq., to Questions in Paper No. 3.

Answers of Henry Fawcett, Esq.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

The office I hold in the Incumbered Estates Court is Clerk to Mr. Urling, the Third Commissioner's Examiner; which I have held since January, 1853.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge?

3. Give a detail of the general course of practice and mode of procedure adopted in your office?

As these questions have been fully answered and explained by the Commissioner's Examiner, I beg leave to refer to his return, in which the duties of the office performed by him and by me are distinguished.

HENRY FAWCETT.

ANSWERS of RICHARD H. V. ARCHER, Esq., to Questions in Paper No. 3.

Answers of Richard H. V. Archer, Esq.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Second Commissioner's Examiner's Clerk. I was first appointed in April, 1851, as clerk in Third Commissioner's Examiner's office; and on the first of January, 1853, I was removed to my present office, which I have held since then.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge?

3. Give a detail of the general course of practice and mode of procedure adopted in your office?

In reply to these questions I have only to state, that both the particular duties performed by me and the general course of procedure in my office are fully detailed in the Examiner's answers to these questions, which I have read, and to which I beg to refer.

RICHARD H. V. ARCHER.

ANSWERS of A. J. STEWART, Esq., to Questions in Paper No. 3.

Answers of A. J. Stewart, Esq.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Second Assistant to General Clerk, and I have held that office under the Commission since the seventh of December, 1849.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge?

My duties consist in entering in a book, with a proper index, all objections lodged to draft final schedules of incumbrances, indexing all appearances entered, receiving petitions, abstracts of title, affidavits, and objections, having first seen (if they have been sworn in the country) that the jurat of each is correct, administering oaths, taking deposits on documents bespoken, having first searched for and procured them, (also initialing and keeping account of such deposit), giving them to the scrivenery Clerks to copy, and checking the number of folios in each copy, when brought in by the said Clerks; entering in a book, kept for that purpose, the number of folios in such copies, when called for by the public, and attesting same, by affixing Mr. Fitzgerald's name to each copy, as directed by him; checking and signing certificates of appearances, claims, and objections; comparing affidavits, and attesting them; also entering the number of folios in each copy in a

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Answers of A. J. Stewart, Esq.

book kept for that purpose; receiving claims; producing for public inspection documents of all kinds lodged in this office, viz.:—petitions, abstracts of title, affidavits, schedules of incumbrances, objections, draft deeds of conveyance, &c.; generally assisting in the arrangements of the office; and answering questions as to the practice of the Courts.

The time occupied in the performance of the foregoing duties is generally from ten, A.M., to four, P.M., as prescribed by the Commissioners, but frequently press of business obliges me to remain to a later hour.

3. Give a detail of the general course of practice and mode of procedure adopted in your office?

I beg to refer to the First Assistant's report.

A. J. Stewart.

Answers of Peter Burrowes, Esq.

Answers of Peter Burrowes, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold my present office, namely, Third Assistant to General Clerk, since the twenty-third November, 1853, having previously held the office of Second Assistant to the Accountant, such appointment bearing date the seventeenth December, 1852; and I have held office since the twenty-first of February, 1850.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge?

My duties are as follows:—To check certificates of appearances entered on the books, of which there are six large volumes kept in the office; also of claims, of which there are five books; and of objections to the final schedules (two books). To keep a correct entry of the lodgment of such schedules, in a book kept for that purpose, with index. To receive deposits for copies of documents bespoken in the office; search for the originals, in bundles arranged for each month, and hand such to the Clerks to copy; also to give copy, when called for, to the solicitor who may order it, and to make entry of fees on same in book kept for such purpose. To hand documents lodged in the office to the public for inspection, when asked for (which duty occupies a great portion of the day, namely, from ten to four o'clock); such documents consist of petitions, final schedules, claims, abstracts of title, affidavits, statements of facts, objections to the final schedule, conveyances, masters' reports. To compare copies of affidavits, objections, and claims, with the solicitor who may bring same for attestation; receive fees on same, and keep correct entry in book for that purpose. To check the copying Clerk's accounts each week (twelve books in all). To tot, weekly, the book in which entries are made of all copies leaving the office, showing the number of folios and fees. To answer questions made by the public, and to attend to the general business of the office.

3. Give a detail of the general course of practice and mode of procedure adopted in your office?

As to the practice of the office, I beg leave to refer to the report of the First Assistant, Mr. Richards.

Peter Burrowes.

Answers of Francis Costelloe, Esq.

Answers of Francis Costelloe, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I am Assistant Accountant to the Commission; I received my appointment on the 24th November, 1853.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

My duties comprise keeping the fiat ledgers, four in number, the journal, and bank cash ledger. In the fiat ledgers accounts are opened for all estates in progress of payment, and all sums ordered to be paid and retained are entered therein. When the parties call for their orders they are then marked off as paid, and when the sums retained are disposed of they are discharged and re-entered for the parties to whom they may be ordered. On entering the fiats for payment it is my duty to mark on the back thereof any sums previously ordered and not called for, and all sums retained, for the information of the Chief Accountant, to guide him in the arrangement of the funds. Also when certificates of funds are required, I have, in like manner to extract all sums ordered to be paid or retained. On the accuracy of these books depend, in a great measure, the correctness of the certificates and distribution of funds. The bank cash ledger, which is very voluminous, is written up and balanced with the bank monthly. All sums paid during the day are entered in the journal. It is also my duty to exchange bank certificates of lodgments by purchasers, and take their receipts for same, when they are required for the purpose of their conveyances. These duties occupy my time during office hours, from ten to four o'clock.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

With respect to the general practice and procedure of this office, I beg to refer you to the Chief Accountant's report.

Francis Costelloe.

Answers of Laurence M. Doyle, Esq.

Answers of Laurence Murray Doyle, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I have been employed under the Commission since the 25th day of January, 1851, and hold the office of Third Assistant to Accountant since the 25th day of November, 1853.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

My duty consists in posting the payments of each day into the journal, drawing purchasers' receipts for bank lodgments, and entering the same each day in the lodgment book, folioing (or attaching the number of the page) every entry to be made in the general ledgers, and also lists of balances, when required, for settling Commissioners' fiats, furnishing a *Dr.* and *Cr.* copy of each account, properly balanced, to the solicitor having the carriage of the sale in each estate, and to any other party, when ordered by a Commissioner, which orders are of most frequent occurrence, writing up and again balancing such accounts, when returned for that purpose, entering the balance of each copy account, when copied or written up in the balance book, and assisting generally in the business of the office when required.

The hours occupied by me in discharge of the above duties are usually from ten to four o'clock, as prescribed by the Commissioners, excepting days of very onerous business, when, as a matter of course, the hours of attendance are completely subservient to the due completion of each day's business.

3. Give a detail of the general course of practice and mode of procedure adopted in your office.

The Chief Accountant having fully explained the practice, &c., of the office, I beg to refer to his report.

Laurence Murray Doyle.

Answers of Edward G. Smith, Esq.

Answers of Edward G. Smith, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Assistant to the Keeper of the Deeds, and Muniments of Title, to which office I was appointed on the 30th November, 1853.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

The nature of the duties pertaining to this office performed by me, is to assist in the general business of the office, the nature of which will be found in the form forwarded to you by Thomas Welsh, Esq., Chief Officer of this department, and to which I beg leave to refer.

Edward G. Smith.

Answers of William D. Gumley, Esq.

Answers of William David Gumley, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

I hold the office of Assistant to the Keeper of the Deeds and Muniments of Title, to which office I was appointed on the 1st July, 1850.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge.

The nature of the duties pertaining to this office performed by me, is to assist in the general business of the office, the nature of which will be found in the form forwarded to you by Thomas Welsh, Esq., Chief Officer of this department, and to which I beg leave to refer.

William David Gumley.

Answers of Charles M. Ormsby, Esq.

Answers of Charles M. Ormsby, Esq., to Questions in Paper No. 3.

1. What office do you hold in the Incumbered Estates Court, and how long have you held it?

Clerk of Statistics. I was appointed on the first of June, 1850, being four years, seven months, and twenty-four days.

2. State the nature and particulars of the duties performed by you, and the time occupied in their discharge?

Extracting from the petitions, as they are filed in the Court, the net rentals of estates and the incumbrances affecting such estates, as stated therein; filing every rental of estates (or parts of estates) sold by the Commissioners; keeping a correct and most minute detail of every lot sold; furnishing statistical reports to the Houses of Lords and Commons, when called upon, &c. The ordinary hours of attendance are from ten o'clock, A.M., until four o'clock,

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Answers of Charles M. Ormsby, Esq.

P.M.; but when preparing parliamentary and other statistical returns (occupying about three months in the year), the hours of attendance are from nine o'clock, A.M., until eleven o'clock, P.M.

3. Give a detail of the general course of practice and mode of procedure adopted in your office?

Duties:—1. To keep a daily account of all petitions lodged in Court, and enter in alphabetical order the net rentals and incumbrances, as stated in the petitions, which the estate was subject to, in a book prepared for that purpose. 2. To keep a record of all sales of estates by the Commissioners, whether sold by public auction in Court, or by provincial auction, or by private contract subject to confirmation by the Commissioners, arranged as follows:—3. Number of lots put up for sale. 4. Number of estates and lots adjourned, stating the highest offer made. 5. Number of lots sold. 6. Matters in which owners were petitioners. 7. Matters in which the estates were vested in assignees. 8. Name of owner. 9. Name of petitioner. 10. Name of solicitor who had the carriage of the sale. 11. Solicitor's address. 12. Date of presenting petition. 13. Date of the conditional order for sale. 14. Date of absolute order for sale. 15. Date of sale by public auction in Court, or in the provinces, or by private contract; as also the date of the confirmation of the sale by the Commissioners. 16. Number of lots sold of each estate. 17. Tenure of lots sold, whether fee-simple, fee-farm grants, lives renewable for ever, church leases, term of years, &c. 18. Outgoings of the estate, such as head, crown, or quit rents, tithe rent-charges, herriots, renewal fines, &c., subject to which the estate was sold. 19. The ordnance, poor law, and valuations, when ordered by the Commissioners, when stated in the rentals. 20. Amount paid for quit-rents, when purchased by order of the Commissioners from the Crown. 21. Stating the county, barony, poor law union, and electoral division, when stated in the rental. 22. Gross number of statute acres, annual rental, or valuation (when estate is unlet) of each lot. 23. Amount of mortgages, judgments, and other charges affecting the estate, as appeared on the petition lodged in each matter; as also the same charges as per final schedule, as settled by the Commissioners.—24. Amount of jointures, annuities, Government repayments, and other charges, subject to which each lot was sold. 25. Amount of purchase money for each lot, whether acreable, house property, perpetual rent-charges, tithe rent-charges, chief rents or ground rents, advowsons, fisheries, and mines, &c. 26. Number of English, Scotch, and foreign purchasers, together with the purchase money invested by them; their addresses, as taken from the sales-books, and the county in Ireland in which they purchased. 27. Total amount of costs and other expenses of sales of each estate paid by order of the Commissioners—(this item is furnished by the Taxing Master). 28. Amount of money paid out by order of the Commissioners, including sums allowed to purchasers as absolute credits—(the Accountant furnishes me with this item). 29. Names and residences of the purchasers of each lot sold; the date of the conveyances executed by the Commissioners. Observations in my records:—accounting for, if possible, either the high or low figure which the estate sold for, such as the eligibility of the situation of the property as to locality, &c.; the favourable state of the tenantry, &c.; or, on the other hand, high head rents, renewal fines, annuities, poor rates, &c., &c., which the estate was sold subject to, &c.; as also, the quantity of bog on each lot sold, and any other particular which might prove interesting, as a record of the Court. Lastly, To publish annually a statistical sheet, tabularly arranged, giving in a succinct form the results of the operations of the Court, for distribution among the landed proprietors and other capitalists in Great Britain and Ireland.

CHARLES M. ORMSBY.

PAPER No. 4.

PAPER No. 4.—RETURN required from the PRIVY COUNCIL OFFICE. [*For this Return, see Appendix, p.* 79.]

PAPER No. 5.

Questions addressed to the Law Society of Ireland.

PAPER No. 5.—QUESTIONS addressed to the LAW SOCIETY of IRELAND.

1. Has the course of practice adopted in the Incumbered Estates Court been found to work satisfactorily for the due despatch of business, and has it met with the general approval of the profession or otherwise?

2. Do any defects or imperfections in that course of practice occur to you? and if so, state the same, and any remedies which you can suggest?

3. Can you suggest any modification or alterations in the constitution of the Court, or in its practice or forms of procedure which would be calculated to make the system more perfect?

4. What are the peculiar circumstances in the constitution of the Court, or its mode of procedure, which have mainly contributed to its successful operations?

5. What have been the practical results of giving a Parliamentary Title?

6. Ought the privilege of obtaining Parliamentary Title to be continued and made permanent, and should such privilege be confined to Incumbered Estates, or limited to lands of any particular tenure, or would it be expedient to extend it to all Sales under the Court?

7. What would be the comparative expense of a Sale of the same property, in the Incumbered Estates Court, and in the Court of Chancery by Cause Petition under the 15th section of the Chancery Regulation Act?

8. What causes the difference in expense between Sales in Chancery and in the Incumbered Estates Court?

PAPER No. 5.

Questions addressed to the Law Society of Ireland.

9. Have the costs of surveys, valuations, and advertisements in the Incumbered Estates Court formed any considerable proportion of the expense; and do you think this expense could be diminished without injury to Sales?

10. What proportion of a Bill of Costs for a Sale in Chancery consists of Law and Chancery Fund, Stamps, Office and other fees?

11. If the proceedings in Chancery were relieved from those charges, and its practice assimilated to that of the Incumbered Estates Court with Parliamentary Title, could Sales be had there as quickly and as cheaply?

12. What is the comparative expense of a Partition in the Incumbered Estates Court and in Chancery?

Answers of the Council of Management of the Incorporated Society of the Attornies and Solicitors of Ireland.

ANSWERS of the COUNCIL OF MANAGEMENT OF THE INCORPORATED SOCIETY OF THE ATTORNIES AND SOLICITORS OF IRELAND to Questions in Paper No. 5.

1. Has the course of practice adopted in the Incumbered Estates Court been found to work satisfactorily for the due despatch of business, and has it met with the general approval of the profession, or otherwise?

Generally speaking, the course of practice adopted in the Incumbered Estates Court has worked satisfactorily, and met with the approval of the profession.

2. Do any defects or imperfections in that course of practice occur to you? and if so, state the same, and any remedies which you can suggest?

The defects in the present system arise from the insufficiency of the establishment to meet the great press of business in the Court. This is especially felt in the examination of the title, direction for searches, settling of schedules, and distribution of the funds. We consider that the schedules should in each case be settled before the sale, without prejudice to the arrangement of the rental, in the meantime. It would be desirable that a more perfect record of the proceedings (easy of access) should be kept, especially with regard to the payment of money and the data from which the sums due to each party are ascertained.

The settlement of the schedule before the sale would in many cases prevent a sacrifice of property, by affording to each creditor the means of seeing his position in point of priority, and so enable him, if considered advisable, to purchase a part of the property.

The records of the Court are, for want of a sufficient staff and accommodation for holding them, in a very unsatisfactory state; it often happens that documents are mislaid and cannot be found.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its practice or forms of procedure which would be calculated to make the system more perfect?

No, except what appears from the answer to the second quere and the necessity for an increased establishment. It would also be most desirable that the Incumbered Estates Court and the offices attached thereto should be removed to the vicinity of the Four Courts; the present situation is extremely inconvenient, and this is felt especially in regard to the difficulty of procuring counsel when required.

4. What are the peculiar circumstances in the constitution of the Court or its mode of procedure, which have mainly contributed to its successful operations?

The facility with which the Commissioners dispose of cases when brought before them, and the wide view they take of them; the avoiding of technicalities; the parliamentary title; the immediate confirmation of the sale; immediate possession; the small costs a purchaser incurs; the sales when rentals prepared being frequent and quick; the opportunity of communication with, and facility of access to, the Commissioner who has the case before him.

5. What have been the practical results of giving a parliamentary title?

An increased desire to purchase, and facility afforded of reselling or of raising money; a great majority of capitalists now object to lend money except on a parliamentary title. This observation applies especially to English and Scotch capitalists.

6. Ought the privilege of obtaining parliamentary title to be continued and made permanent, and should such privilege be confined to incumbered estates, or limited to lands of any particular tenure, or would it be expedient to extend it to all sales under the Court?

The privilege of obtaining parliamentary titles ought to be continued and made permanent, and should be extended to all sales under the Court of Chancery.

7. What would be the comparative expense of a sale of the same property, in the Incumbered Estates Court, and in the Court of Chancery by cause petition, under the 15th section of the Chancery Regulation Act?

This is a very difficult question; probably, in a plain case, in which no abatement or change of interest would take place, the expense of such a proceeding in the Court of Chancery might not exceed that in the Incumbered Estates Court; but many circumstances may occur which would increase the expense in a Chancery proceeding, which would not have the same effect in the Incumbered Estates Court. When property is sold in several lots in the Court of Chancery a very heavy expense is incurred in making out a separate title for each purchaser, copies of all the deeds, decrees, orders, and searches having to be furnished to each. In such cases the expense of a sale in Chancery would much exceed that in the Incumbered Estates Court.

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Answers of the Council of Management of the Incorporated Society of the Attornies and Solicitors of Ireland.

8. What causes the difference in expense between sales in Chancery and in the Incumbered Estates Court?

The heavy office fees, and Chancery fund stamps, and the making out of separate titles to each purchaser; but if the Court of Chancery had the power of giving a parliamentary title on the execution of the conveyance by the Master, and if Chancery fund stamps and office fees were abolished, we consider that the expense in each Court would not materially differ.

9. Have the costs of surveys, valuations, and advertisements, in the Incumbered Estates Court, formed any considerable proportion of the expense; and do you think this expense could be diminished without injury to sales?

The expense of surveys, valuations, and advertisements, in the Incumbered Estates Court, do form a considerable proportion of the expense; the first two are most necessary and useful, and give great facility to making out accurate rentals, and preventing objection by purchasers, or leaving opportunities to them to seek for compensation. These expenses being absolutely necessary, could not, in our opinion, be materially diminished, and the services of respectable, competent persons secured. The expense of advertising may be diminished and a better mode adopted.

10. What proportion of a bill of costs for a sale in Chancery consists of law and Chancery fund, stamps, office, and other fees?

It is rather difficult to answer this, as the expenses vary very much according to the nature of the case; but we consider that the proportion of a bill of costs for a sale in Chancery, which consists of Chancery fund stamps, office and other fees, is about one-third, and this is exclusive of advertisements, surveys, valuations, and counsels' fees.

11. If the proceedings in Chancery were relieved from those charges, and its practice assimilated to that of the Incumbered Estates Court with parliamentary title, could sales be had there as quickly and as cheaply?

If the proceedings in Chancery were relieved from all fees and stamps, and if the same facilities existed in that Court which exist in the Incumbered Estates Court (subject to certain alterations), and that the power of giving a parliamentary title was conferred on the Court of Chancery, we think sales might be had and the produce thereof distributed as quickly and cheaply in Chancery as in the Incumbered Estates Court; but in order to effect this, we think that there should be a very considerable change made in the mode of conducting and working the business of the offices.

12. What is the comparative expense of a partition in the Incumbered Estates Court and in Chancery?

The expense of a partition in the Court of Chancery is much greater than in the Incumbered Estates Court. It was almost ruinous under the old system to proprietors, if the estate was large; and particularly to the plaintiff, if he had not an agreement with the other proprietors as to the costs down to the first decree.

PAPER No. 6.

Questions addressed to the Masters of the Court of Chancery.

PAPER No. 6.—QUESTIONS addressed to the MASTERS of the COURT of CHANCERY.

1. What is the general course of practice in your office with respect to proceedings for sale in cases under the 15th section of the Chancery Regulation Act?

2. Within what time after the presenting of the petition could a sale be had in your office by the exercise of ordinary diligence on the part of the Solicitor, and in a case not presenting any peculiar difficulties or complexity?

3. Can you estimate what the average costs would be in an ordinary case from the presenting of the petition to the distribution of the funds?

4. Are there any means at present of preventing delay on the part of the Solicitor in carrying on a sale, or have the Masters any power to expedite the proceedings; can you suggest any remedy for such delays?

5. Is any delay at present occasioned in the prosecution of cases by the pressure of business in your office?

6. Is there at present any arrear of business in your office, or is the amount of business sufficient to occupy the time of your Court?

Answers of William Henn, Esq., Master in Chancery.

ANSWERS of WILLIAM HENN, Esq., Master in Chancery, to Questions in Paper No. 6.

1. What is the general course of practice in your office with respect to proceedings for sale in cases under the 15th section of the Chancery Regulation Act?

The general course of practice in my office with respect to proceedings for a sale in cases under the 15th section of the Chancery Regulation Act, is as follows:—When the Chancellor's order, which is simply an order "to consider the matter of the petition, and proceed thereon according to the statute," is brought into the office, the solicitor who brings it in takes out a summons returnable in general within three weeks after its date, but occasionally in pressing cases within such shorter time as the Master chooses to limit, which is served, as a subpœna was, on the respondents, together with a notice under the 115th of the General Orders of the 27th March, 1843, requiring them each to appoint a solicitor, or name some dwelling-house in the city upon whom or where all future summonses and notices may be

served, and apprizing them that in case they do not enter an appearance, no further notice will be given them, and the Master will proceed *ex parte* in their absence. This summons is entered in the Master's long cause list for the day on which it is returnable, and is called on upon the day on which it appears in the published day list. Upon the case coming on to be heard, counsel for the petitioner opens the case, states the petition and the relief sought. If the respondent attends, and does not object, the Master, upon proof or admission, as the case may be, of the deed or deeds, or other instrument creating the incumbrance on which he founds his case, takes down in his book the heads of an order, declaring the incumbrance a charge, &c., and directing an account of the sum due on foot of it, and of all other incumbrances affecting the premises; a posting for incumbrancers to come in by a certain day and prove their respective demands, that the petition may stand as a charge, and, if the special circumstances require it, that petitioner file a further charge, with liberty to the respondent in either case to discharge it by a day also therein for that purpose limited. An order is then drawn up, embodying those rulings and directions. If the respondent does not file a discharge contesting the amount or seeking credits, the petitioner, on the expiration of the time limited for filing the discharge, issues a summons to take his charge as confessed; and thereupon, on the summons, which is always entered in the short cause list, coming on to be heard, the charge is marked allowed; but if the respondent has filed a discharge a summons is issued to proceed on charge and discharge, which is entered in the short or long list, according to circumstances; and at the hearing the Master decides the questions raised by those pleadings between the parties. A similar practice is adopted with respect to the several creditors who file charges; and after all such charges and discharges have been disposed of, and the time limited for the creditors to come in has expired, the Master directs an order to be prepared and lodged in his office, generally within a week, reciting shortly the proceedings, that the Master has ascertained that there is due to the petitioner and the several creditors whose names he has set forth in the schedule annexed to the order, the several sums due to each for principal, interest, and costs, and their respective priorities; and that no other claimants had appeared; and in default of the respondent paying to the said several creditors the respective sums due, and the costs as so ascertained, within three months, that the lands and premises (stating them) be sold, &c., following the usual form of decrees in Chancery for sales, according to the old system. A summons is always issued to settle this order, which is served on the respondent and on the creditors who have filed charges, in order that they may have an opportunity of seeing that their rights are protected, and any errors, or omissions, or deviations, from the Master's decisions on the several charges and discharges are corrected or supplied. The time always allowed for payment, unless where the respondent consents to a shorter period, is three months; and if the money is not then paid, the solicitor for the petitioner proceeds to make out the abstract of title, which he lays before counsel, who gives his opinion and directs the necessary searches. When the searches are completed, which not unfrequently occupies a long time, the case is again submitted to counsel for his opinion, having regard to the different acts that may appear upon them, particularly the registry searches. If, in counsel's opinion, the title is satisfactory, the solicitor for the petitioner then takes out a summons for the Master to inspect and approve of the title; and if on inspection he sees no reason to dissent from or doubt the correctness of the opinion, he, upon the production of an affidavit that all the deeds necessary for evidencing the title are lodged in the Master's office, or are within the procurement of the solicitor, signs a certificate that he has inspected the abstract, and that it is, in his opinion, "a compliance with the 138th General Order of the 27th March, 1843." If the Master has any doubt as to the opinion, he confers with counsel; and if the counsel, either then or in his original opinion, states that any conditions of sale are necessary, a summons is issued for the Master to settle conditions; and not until they are settled and approved of by him, does he sign the necessary certificate. When it is signed, the solicitor prepares a posting, that on a day (therein specified) usually six weeks after the date, the lands (stating them) will be sold at the time and place therein mentioned. This is signed by the Master, and at foot he specifies the papers in which it is to be published, and the number of times it is to be inserted in each. This is, in truth, so far as title is concerned, the same practice that had been for several years followed in making out titles, and bringing estates to the hammer, under the old system of decrees; and though it has the appearance of being somewhat tedious, it was found to be the most effectual for obviating objections to titles, which were always the most formidable obstacles in the way of speedy and inexpensive sales in the Court of Chancery. Such is a short outline of the practice with respect to proceedings for sale in the ordinary routine of cases under the 15th section; but it very frequently happens that when the case comes into the office, objections are raised by the respondent to the right of the petitioner to have a sale at all, and matters of defence are put forward which throw upon the Master the necessity of exercising all the functions of a Chancellor, and either of decreeing the petitioner entitled upon principles of equity to the relief he seeks, and then performing the ordinary functions of a Master, or of dismissing the petition for want of equity, or on any other of the numerous grounds upon which the Chancellor decides, when raised by plea, answer, or demurrer.

How far it was in the contemplation of the framers of the Act to throw these onerous duties upon the Masters, I do not presume to speculate; but, when I first read the Act, I was under the impression that that section was intended to apply not to cases where equities were to be decided before the case could be sent into the Master's office, but simply to that class of cases in which, when the case was called on for hearing, the counsel for the defendant would have said he admitted the plaintiff was entitled to the relief sought,

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Answers of William Henn, Esq., Master in Chancery.

it being a matter of course to send it to the Master's office. According to the present practice, however, the Court, except from what appears upon the face of the petition itself, never can form an opinion as to the precise category within which the case should be comprised, as the respondent is never served with the petition, nor has he, for aught that appears, any notice of its existence until it comes into the Master's office: then, for the first time, has he an opportunity of making any defence at all; and the consequence is, that the Master ha frequently most important and difficult questions to decide, which are raised occasionally by a demurrer *ore tenus*, but generally by the discharge to the petitioner's charge, the discussion of which tends to create both delay and expense to the suitors, for in such cases it rarely happens that the defeated party rests satisfied with the opinion of the Master upon the point. If it was intended to give the Masters that which practically they now have, to a great extent, namely, a "*divisum imperium*" as to jurisdiction with the Chancellor and the Master of the Rolls, some addition, it is respectfully submitted, should have been made to their staff, of the insufficiency of which, for the performance of the original ordinary duties of the office they have been ineffectually complaining for the last twenty years. It would also appear to me that, for the more effectual working of the Act, our jurisdiction should be more accurately defined. According to the opinion of the Lord Chancellor, when the case once comes into the office, *we* have full, and he has not even a concurrent jurisdiction with us, but only by way of appeal: still the jurisdiction is not complete in each individual case, as we have no power to order the amendment of a petition, or to substitute service on a party out of the country, or to distribute funds; and as our jurisdiction, such as it is, extends only over the particular cases in our own offices, we are frequently embarrassed to know what to do in cases in which receivers are extended from cases not in our offices to cases within our jurisdiction; for as, in that state of things, any order to be made upon the receiver must be entitled and made in all the cases, and as our jurisdiction only extends to some of them, it becomes a question how far such an order of the Master could be enforced at all.

Another of the results flowing from this enactment is, that petitions are hourly presented for the most paltry sums, to the utter ruin of all parties concerned, except the solicitor, who absorbs the whole fund in costs. A man executes his bond, with warrant, in a principal sum, say of £20, on this the obligee enters judgment, and then, under a recent statute, registers it as a mortgage; and the moment he has done this, he files a cause petition for a sale and a receiver. I have seen cases in which receivers were sought over properties where the interest on the charge did not exceed six pounds a-year. In like manner, administration suits are instituted where the whole amount of the assets do not amount to £50, and it is impossible that any human being but the solicitors can benefit by them. It would, I respectfully conceive, be desirable to limit, if possible, a minimum, beyond which a party should not be at liberty to proceed under that statute. It is also to be observed, that nothing is said in the Act as to the rehearing of a cause, whether or not we have any jurisdiction to rehear, or within what time we should be at liberty to do so.

I feel that in making these comments I have diverged widely from the question I professed to answer; but, as I presumed that one of the objects of the Commissioners was to ascertain the practical working of the Act, I have ventured to make these few observations on what appear to me to be impediments in the way of its efficiency. I say nothing to the fact of its being a system directly the converse of that adopted in England, to which I thought—but now take it for granted very erroneously—that considering our laws are, generally speaking, the same in both countries, and that the reports of English decisions are binding authorities on us here, sound policy would have suggested that the practice of the courts in both countries should have been as nearly as possible assimilated.

2. Within what time after the presenting of the petition could a sale be had in your office by the exercise of ordinary diligence on the part of the solicitor, and in a case not presenting any peculiar difficulties or complexity?

By ordinary diligence a sale could be had in a case not presenting any peculiar difficulties or complexity, and in which the creditors were few, in four or five terms at farthest.

3. Can you estimate what the average costs would be in an ordinary case from the presenting of the petition to the distribution of the funds?

I cannot satisfactorily answer this query at present. I should think the Taxing Officer ought to be able to answer it, or if time were allowed, and a search made in the Register's office for the final orders pronounced by the five Masters, allocating funds after sale had, an average might be easily struck; but this would require time, and the orders of all the Masters should be referred to.

4. Are there any means at present of preventing delay on the part of the solicitor in carrying on a sale, or have the Masters any power to expedite the proceedings; can you suggest any remedy for such delays?

There are, in my opinion, quite sufficient means at present existing of preventing delay; they are, I think, to be found furnished by the Orders Nos. 111, 113, 114, 116, 117, 119, 120, 121, of the 27th of March, 1843, which are applicable to all cases, under the 15th section of the Chancery Regulation Act; and the Chancellor's Order, No. 37, of the 31st July, 1851; and I could not suggest any remedy for the purpose of obviating delays caused by the suitors or solicitors in the conduct of the suits, that could, in my opinion, be more effectual. To the principle on which many of those orders have been framed, I, in common with my brother Masters, respectfully object; and, as regards the practicability of carrying them all out, I have only to say, that I concur entirely in the opinions expressed by Master Litton. But there is one species of delay for which I know no remedy but a total change

in the whole existing system, a change which would have the effect of diminishing the number of judges, and returning to the old system of the division of labour, which allotted the decision of principles to one class, and the execution of details to another. The mind that is eminently qualified for the discharge of one duty is not unfrequently very ill qualified for the performance of the other; and when both are imposed on the same individual one or other of them is frequently not done well. This in itself tends to impede the despatch of business; but, in addition to this, there are now in Dublin no fewer than ten distinct Equity Courts, all sitting at the same moment: seven at the Four Courts, viz., Chancery, Rolls, and five Masters' offices; and at Henrietta-street, three Judges, who frequently sit in separate courts at the same time. The consequence is, that the Master frequently finds it impossible to get counsel to attend him; and as no solicitor has, or can have, a sufficient number of clerks to attend upon all the courts at the same time, cases are often called on, when neither counsel, solicitor, or clerk, is, or can be, in attendance; and although one of the Orders of 1843 directs that the Master shall not, except under very special circumstances, wait for counsel, yet that Order, which was framed when Masters only acted in their ordinary magisterial capacity, cannot be acted on when the Masters are sitting as Equity Judges. Were they to act on it, they would only increase delay and multiply expense, as their decisions (if, indeed, they could, in the absence of counsel, pronounce any) would never be acquiesced in; the consequence of which would be, that very unjust expense would be thrown on the suitor, and the termination of the suit would be very greatly retarded. I have myself lost, in this last term, from this cause alone, hours equal to three whole official days. Striking out the cases will not remedy it; and to impose upon the solicitor the necessity, at the peril of costs, of having a clerk in constant attendance, where so many courts are sitting at the same time, would be most unjust. In England this state of things does not exist, because *there* there is a particular bar attached to each court; but here, not one of the Masters' offices would, on the present scale of remuneration to counsel, give bread to two counsel in each office; and besides, in England there are but five courts, whereas here there are no fewer than ten, sitting at one and the same time. The only remedy I can see for this is, as I have said, a change in the whole system; what that change should be I do not pretend to say; but I feel perfectly satisfied, that without a radical change the business of the Incumbered Estates Court can never, without great detriment to the public interest, be transferred to the Court of Chancery; and that if the system now in operation in Chancery be continued, there will in a few years be a total destruction of uniformity, both of decision and of practice. There is no book here that provides or defines any precise practice for the Masters. The English books of practice do not apply to a state of things so totally different from that which exists in England And as no one of the Masters can know what the others are doing during each day in their respective offices, and there are no reports of their decisions (for such reports would not remunerate the reporters for the expense of printing), the result is, that the same point, so far as relates to practice, is sometimes decided as many ways as there are Masters. Any system, even an indifferent one, steadily and uniformly acted on, would, in my humble judgment, be greatly preferable to those eternal changes, which have so jumbled and confounded what has been with what is, that no human being can tell what is or what is not now the practice.

5. Is any delay at present occasioned in the prosecution of cases by the pressure of business in your office?

There is in my office delay at present occasioned in the prosecution of cases by the pressure of business, and the other causes I have taken the liberty of stating.

6. Is there at present any arrear of business in your office, or is the amount of business sufficient to occupy the time of your Court?

There is an arrear of business, but not to a very considerable amount; the number of cases of all descriptions now undisposed of in my long cause list does not exceed sixty, in the short cause list there is no arrear. Prior to the Chancery Regulation Act I never had an arrear; but to keep it down, I was obliged to sit—and did sit—many hours, in each year, more than those prescribed by the Orders, as may be seen by reference to my annual returns, besides being occupied several hours in evenings at my own house; at present, notwithstanding all my efforts, I cannot keep down the arrear; and were it not that the proportion of sales to the petitions for sales is in my office scarcely as one to ten, it would continually increase; but the moment the incumbrances are ascertained here, the party, if there should happen be the slightest complication of title, immediately goes to the Incumbered Estates Court for a sale, as there he can get a parliamentary title (and that Court adopts and acts upon the Master's orders, ascertaining the amount and priorities of the incumbrancers, and distributes the funds accordingly);—by far the greater part of the delays and expenses in Chancery being occasioned by the course which must necessarily be adopted in order to clear the title, so as to bring the estate to the hammer free from objections. Since the passing of the Act I have held but seven sales under it, the particulars of which I have stated in a schedule at foot, while, in the same period, no fewer than eighty petitions have been lodged, on the greater number of which proceedings have been taken, and orders made.

WILLIAM HENN.

Paper No. 6.

Particulars of Sales in Master Henn's Office, under Chancery Regulation Act, 1850, Sec. 15.

Answers of William Henn, Esq., Master in Chancery.

Title of Matter.	Date of Order of Reference.	Date when same lodged in Master's Office.	Date of Master's Order for Sale.	Date of Sale.
1 Walker *v.* Wood, . .	January 25, 1851,	February 6, 1851,	December 8, 1851,	May 4, 1853.
2 Sharpe *v.* Fisher, . .	February 10, 1851,	February 19, 1851,	November 1, 1851,	December, 1, 1852.
3 Leonard *v.* Hartwell, .	June 7, 1851, . .	June 16, 1851, .	August 9, 1852, .	March 11, 1853.
4 Murphy *v.* Purcell, .	November 15, 1851,	November 18, 1851,	May 11, 1852, .	November 29, 1852.
5 Cleland *v.* Montgomery,	November 15, 1851,	November 19, 1851,	June 19, 1852, .	June 1, 1853.
6 Pim *v.* Bourke, . .	January 31, 1852.	March, 9, 1852, .	August 6, 1852, .	February 14, 1853.
7 Bloomfield *v.* Ferrall, .	February 14, 1852,	March 15, 1852, .	March 16, 1853, .	February 13, 1854.

Answers of Edward Litton, Esq., Master in Chancery.

Answers of Edward Litton, Esq., Master in Chancery, to Questions in Paper No. 6.

1. What is the general course of practice in your office with respect to proceedings for sale in cases under the 15th section of the Chancery Regulation Act?

Having had communications with Masters Henn, Brooke, and Lyle (Master Murphy having been ill, and unable to attend our meeting), I have arrived at the opinion, "that the general course of practice, with respect to proceedings for *sale*, in cases under the 15th section of the Chancery Regulation Act," are the same in all the Masters' offices. Some minute differences exist, as to the arrangement of the different proceedings, and the periods at which certain acts are to be done, in the progress and prosecution of the suit; but the general course of practice is the same, and the slight differences which may be found to exist, do not, in my opinion, at all affect the interests of the suitor, and make a very slight difference indeed in the time taken to prosecute the suit to a final hearing and order.

The general practice in my office is this: when the order of the Chancellor, referring the matter to me, shall have been made up and taken out of the proper office of the Court of Chancery, the solicitor for the petitioner brings the order into the office of my (the Master's), Examiner, takes out a summons, and enters the case for the first hearing; this is served on all proper persons, and as this first hearing of a cause involves important questions, as to parties, the mode of putting the rights of the suitors in issue, the right of either party to have the documents in the hands of the other party brought into the Examiner's office, and the extent and character of the postings for creditors and incumbrances, for these reasons the summons for hearing is always (with me) entered in my long cause list; but as in general they are not of so heavy a character as general long causes, my practice has always been, and continues to be, to place them at the head of the long list of the term, and thus secure to them an early hearing; and the hearing of them has been had, in every instance, within the first ten days of the commencement of each successive term.

At this hearing such order is made as is suited to the exigencies of the case of suitors at both sides.

Sometimes the petition is ordered to stand as a charge, to be discharged, if the respondent shall not attend at the hearing, in three weeks after notice that it does so; or if he shall attend, in three weeks after the day of hearing and order.

Sometimes the petitioner being advised that the phraseology of the petition has been too wide to bring forward his case in full effect, seeks to file a charge in aid of his petition, in which case the Master names a time for so doing, and also directs that the respondent shall file his discharge within a certain time after notice of the charge—three weeks is the usual time, but often under peculiar circumstances a further time is asked for and accorded. After charge and discharge, or discharges only, filed, the case is again entered for directions, and the Master gives such directions for the examination of either party by the other, on personal interrogatories, and by an examination by affidavit or otherwise, as the case may require, limiting the time always. When that time shall have expired, the case is entered again for plenary hearing, and the charges of the various incumbrancers, who may have filed charges, as also the rights of the petitioner, are adjudicated upon; and all rights and claims being made the subject of judicial decision, the order or decree is directed, that is, settled by the Master; and, giving the usual time for objections, signed, unless there be an appeal from that order within the time prescribed by the Chancery Act, and the rules and orders which have been made by the Chancellor thereon, the order becomes final and conclusive, and binds all rights involved therein. There is then a posting for a sale, and that varies in length of time from three months to six weeks, under the peculiar circumstances of each case. There is no fixed or binding rule on this subject, and I think in nine cases out of ten in my office, three months is the time given.

Preliminary to the actual sale there is the same inspection of the abstract of title by the Master, the same class of opinion of counsel upon that abstract, the same affidavits as to the truth of the abstract, and as to the necessary deeds to make out title having been lodged in the Examiner's office, and as to the proper parties being before the Court, as are required by the settled practice in every equity cause, before the Chancery Act, and as directed by the rules and orders found in O'Keeffe's Rules and Orders, and in Lord Plunkett's Rules and Orders, and in those of Sir Edward Sugden (now Lord St. Leonards).

I have endeavoured to compress, and this is as brief an answer to the first question as I have been enabled to give.

2. Within what time after the presenting of the petition could a sale be had in your office by the exercise of ordinary diligence on the part of the solicitor, and in a case not presenting any peculiar difficulties or complexity?

Taking into consideration the time which generally must elapse from the time of presenting a petition till the matter is heard before the Chancellor, the time allowed after the order is brought into the Master's office for charges and discharges, the directions for examinations, the examinations, the posting for creditors and incumbrances, the adjudication upon all claims, and the postings for a sale, a sale could be had in my office, in a case not presenting any peculiar difficulties or complexity, by the exercise of ordinary diligence on the part of the petitioner's solicitor, in from eight to twelve months, as I can best calculate.

I have subjoined a paper in the nature of a schedule, which discloses the actual periods consumed in cases where I have pronounced decrees or orders for a sale, the particulars and items of which paper will go far to present an accurate reply to this second question.

It is observable how few sales actually took place after the absolute decree or order pronounced for sale.

This has been always produced by the following two causes, and will always be so, so long as the Incumbered Estates Court shall continue:—firstly, that having had all matter of right settled, and finally adjudicated upon and affirmed by the Master's order, the parties desirous of obtaining a parliamentary title, which is much preferred to a title given by a decree or order of the Chancellor or the Master, remove the case at once to the Incumbered Estates Court. The Commissioners adopt the Master's order, if it has not been altered or reversed on an appeal, and if it has been, they adopt the Chancellor's or Rolls' order, made on appeal, as conclusive in almost all cases of all the rights involved therein, and adjudicated upon thereby, and so adopting it, they sell at once; thereby giving a parliamentary title, which I am bound to say is greatly preferred by purchasers to any title made out either pursuant to private contract, or under a decree of the Court of Chancery; and secondly, because the respondents frequently pay off the amount of debts and costs, when the time for an actual sale is approaching, or has arrived.

3. Can you estimate what the average costs would be in an ordinary case from the presenting of the petition to the distribution of the funds?

I have no means of estimating the costs named in the question; but a reference to the records of the Taxing Master's office will present the answer to this question at once.

4. Are there any means at present of preventing delay on the part of the solicitor in carrying on a sale, or have the Masters any power to expedite the proceedings; can you suggest any remedy for such delays?

I am of opinion that the law and practice of the Courts afford abundant means to the suitors of preventing delay on the part of the solicitors in carrying on a sale; that the Masters have no power to expedite the proceedings; and that I cannot suggest any remedy for such delays; and I must add, that I do not think that any remedy which could be suggested, beyond those at present existing, and which are in the easy and inexpensive power of every suitor, is necessary, or would be useful.

Master Brooke did, at our meeting of the Masters, suggest something in addition to the rules already existing upon this subject, as a further remedy against delay; and if his mind in that respect has not been changed by the opinions expressed by the other three Masters, he will probably in his answer to this question suggest it.

My opinion is, that any additional means of forcing a party to proceed in the prosecution of a suit beyond those which at present exist, would be mischievous, immoral, and unjust.

The means existing at present are, the dismissing a petition for want of prosecution; or if a respondent does not desire that, the cheap remedy for applying for the carriage of the proceedings, a matter always entered in the Master's list of short causes, and which (as there never is an arrear of short causes) can be moved and adjudicated upon on the third day after the summons shall have been issued.

If a solicitor shall delay to proceed, contrary to the wish of his client, the client may dismiss him, and have another solicitor. If the solicitor and client concur in delaying other parties, the remedy I have named is open to those parties without delay, and with scarcely any expense.

What right has parliament or any court of justice to compel parties to litigate against their will?

Often, after a suit is instituted, a petitioner, who has had his order of reference, or even his decree for a sale, takes pity upon his adversary, and gives him time. In family suits a petitioner delays, because he wishes not to ruin his relative.

In other suits, where doubtful questions exist, delay gives time to imparl and to compromise; delay gives time to the respondent to pay by degrees, in cases where if he were to be pressed he could not pay at all; in all such cases—and they are very many—and many others, to force parties on would be to ruin them—often on both sides. Again, there are cases where petitioners having had their decree for a sale, or a right to a decree for a sale, elect to lie by, and get their demand paid by a receiver. In house property of a bad description, subject to heavy head rents, if the sale be pressed, little will be had from it; whereas house property of that kind, well managed, often produces an actual income of considerable amount.

Are not the suitors, who know their own interest, the best persons to conduct their own

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Answers of Edward Litton, Esq., Master in Chancery.

cases? Is it not enough that the law and practice have provided the means of forcing on the adversary at once at the most trifling expense?

At law, in analogy to the remedies I have named as existing in a court of equity, they have the "judgment of non-suit," the "judgment of non-pros," and the service of notice of trial.

Was it ever considered that any functionary of the Courts of King's Bench, Common Pleas, or Exchequer, was to call before him the suitors, or their attorneys, to account to them why it was that they had not joined issue, or gone to trial? A very obvious answer would be, "we know our own business better than you can do." Has any one ever considered that it was portion of the Lord Chancellor's duty, or that of the Master of the Rolls, to inquire into, and control the causes of delay in the prosecution of an equity suit, from the time of filing the bill or petition till the hearing of the cause or matter; yet I must say that either of these high functionaries, or the Chief Justice of the King's Bench, or the Chief Baron of the Exchequer, or the Chief Justice of the Common Pleas, could do it better than any one of the Masters of Chancery:—first, because these functionaries have not, in discharge of their judicial and official duties, to devote one-half of the time which is necessary to the due discharge of any one Master's official and judicial duties; and secondly, because from the extended arena of contest in the Master's office, where, at times, there are some twenty, thirty, or forty litigants (as in the case of a creditor's suit, where the incumbrances are numerous, and there are deficient assets), it is wholly impracticable to arrive at the fact as to with whom the delay rests, if really unnecessary delay at all exists.

But even if this were not so, how is it humanly possible that any judicial or official functionary can know, or even guess at the fact, as to which are the suits improperly or unnecessarily delayed. To make even an approach to the attainment of such knowledge, he must necessarily be armed with an extended corps of legal detectives, who must add to this office another, that of spies and informers, whose duty it must be, whenever a cause if found to have been delayed, to visit the office of the solicitor who has charge of it, to ask him all his reasons for the delay (in many cases the solicitor would betray his client if he were to expose them, as for instance, infirmity in his case, or a failure in his evidence), then to communicate with the client to ascertain whether the solicitor has spoken truly. All these duties must be performed to arrive at any thing like a conclusion as to whether a cause has been properly and conscientiously delayed, or whether it has been improperly delayed.

The five Masters in Chancery have already, in their published pamphlet, in reply to one published by the present Master of the Rolls, declared their unwillingness and their inability to undertake those degrading and impracticable duties; and they seek for some instance of any such duties having been ever undertaken by any judicial functionary, and some ground to lead to the belief that they could be either successful or useful. If there should be further legislation in that direction, for the reasons I have already stated, my opinion is, that it should provide that the duties to which I have adverted should be undertaken, at least, in the first instance, by the Lord Chancellor, or by the Master of the Rolls, as the Lord Chancellor's judicial assistant in the Court of Chancery, and by one of the judges of the courts of law.

As one who practised at the bar for thirty-one years—for the last twenty-five years almost exclusively in courts of equity—and who has, in addition, served for twelve years as a Master in Chancery, I must emphatically record my deliberate opinion, that any further advance in an effort to expedite proceedings will be ineffectual; and if effectual, would lead to results immoral, injurious, and unjust.

5. Is any delay at present occasioned in the prosecution of cases by the pressure or business in your office?

No delay is at present occasioned in the prosecution of causes by the pressure of the business in my office.

As to short causes, there never is, or has been a single case in arrear.

As to my long causes, my long list is—as is the Chancellor's term list—a new list each term, made up on the second day of term; and for the twelve years during which I have been a Master, I have never had (save in one instance, where a long illness caused an arrear of thirteen causes,) a single case in arrear at the commencement of each term. On the second day of each term I have commenced the hearing of the long cause list of that term, so that, at the end of each sittings, I have never had (save in the instance I have named) any long or short cause in arrear. The Chancery Act has, of course, added considerably to the number of causes; and if a greater number of cases had been prosecuted to an actual sale, of course the incidents of a sale would have caused delay.

As I have said, there is not any arrear of business in my office; but the amount of business is not only sufficient to occupy the time of my court, but requires, to achieve the object of keeping down all arrears, more prolonged daily sittings than a man less blessed with health and strength than I am could give.

It is better for me to give practical evidence of this. The number of hours named for the judicial sittings of the Masters in Chancery are five hours daily, during the Chancery sittings of each term—that is to say, from the first day of term till both the Chancellor and the Master of the Rolls have risen—three hours daily, during the general vacations, and two hours daily during the long vacations.

I have sat in the discharge of my judicial and official duties much, in each year, more than the amount of hours thus defined.

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Answers of Edward Litton, Esq., Master in Chancery.

The number of surplus hours beyond the average of these stated hours have been :—

	Surplus Hours.		Surplus Hours.
In the first year of my Mastership,	404	In the eighth year of my Mastership,	332
In my second year,	266	In my ninth year,	337
In my third year,	261	In my tenth year,	283
In my fourth year,	290	In my eleventh year,	169
In my fifth year,	270	In my twelfth year, ending 2nd November, 1854,	63
In my sixth year,	306		
In my seventh year,	387		

EDWARD LITTON.

SCHEDULE.

Schedule.

Title.	Date of Order of Reference.	When brought into Office.	Date of Master's Order.	Sale held.	Observations.
Aylward *v.* Power,	Jan. 25, 1851	Feb. 13, 1851	July 29, 1851	—	22nd December, 1852, conditions of sale settled; no sale had, as parties paid off.
Angell *v.* Sandys,	June 14, 1851	June 25, 1851	Feb. 25, 1852	Jan. 25, 1853	
Adjy *v.* M'Auley,	Nov. 27, 1851	Dec. 31, 1851	Dec. 1, 1851	—	No application for posting for sale.
Brown *v.* Gamble,	Nov. 16, 1850	Jan. 17, 1851	April 9, 1851	—	No application for posting for sale.
Boylan *v.* Boylan,	Dec. 4, 1851	Dec. 17, 1851	April 29, 1853	—	Consent made rule of Court staying further proceedings.
Beasley *v.* Farrell,	Feb. 7, 1852	Feb. 10, 1852	Dec. 19, 1853	—	
Boyd *v.* M'Cutcheon,	July 15, 1852	Nov. 3, 1852,	Nov. 11, 1853	—	Parties did not apply for posting for sale.
Cornwall *v.* Parker,	June 14, 1851	Oct. 23, 1851	Dec. 18, 1852	—	No application for posting for sale.
Dawson *v.* Dawson,	May 31, 1851	June 10, 1851	July 4, 1853	—	Sold in Incumbered Estates Court.
Ennis *v.* Grace,	Nov. 8, 1852	Jan. 21, 1853	April 8, 1853	July 12, 1853	
Eyre *v.* Eyre,	Feb. 20, 1851	Feb. 24, 1851	April 7, 1851	—	No application for posting.
Enright *v.* Mahony,	June 18, 1852	Nov. 3, 1852	April 22, 1853	June 24, 1854	
Goucheir *v.* Goucheir,	Feb. 22, 1851	Feb. 26, 1851	Nov. 5, 1851	—	Sale of personal estate in the country.
Geraghty *v.* Geraghty,	May 17, 1851	May 27, 1851	Feb. 17, 1854	—	No application for posting yet.
Goodchap *v.* Daly,	Jan. 22, 1853	Jan. 31, 1853	Oct. 25, 1854	—	No application for posting yet.
Higginbotham *v.* Stone,	June 18, 1852	Nov. 3, 1852	June 2, 1853	—	Petitioner declared purchaser by consent made rule of court.
Keating *v.* Drill,	Feb. 17, 1853	March 1, 1853	Nov. 9, 1854	—	No application for posting for sale.
Leech *v.* Blake,	Jan. 25, 1851	Feb. 11, 1851	Feb. 3, 1854	June 2, 1854	The carriage of the original order was taken from petitioner and given to a creditor.
Mahon *v.* Fitzsimons,	July 28, 1851	Aug. 25, 1851	Oct. 25, 1851	Nov. 23, 1852	
Murphy *v.* Ellis,	June 21, 1852	Oct. 27, 1852	Jan. 21, 1853	July 25, 1853	
M'Minn *v.* M'Connell,	Jan. 25, 1851	Feb. 11, 1851	July 8, 1852	Dec. 16, 1853	
Murray *v.* Hall,	Feb. 1, 1851	Feb. 13, 1851	Nov. 2, 1852	—	No application for posting.
Macauley *v.* Gaussen,	Dec. 14, 1850	Jan. 16, 1851	Feb. 17, 1851	—	Ditto.
O'Hara *v.* Cartie,	May 12, 1852	May 18, 1852	March 1, 1853	—	Ditto.
Power *v.* Donnelly,	Feb. 19, 1851	Feb. 27, 1851	Jan. 20, 1852	May 27, 1852	
Rowan *v.* Legg,	Feb. 21, 1852	Mar. 11, 1852	July 13, 1852	June 12, 1854	
Rudd *v.* Rudd,	Feb. 7, 1852	Feb. 11, 1852	July 23, 1853	June 13, 1854	
Revell *v.* Revell,	Nov. 18, 1850	Nov. 26, 1850	May 3, 1853	—	No application for posting.
Skellern *v.* Woods,	June 18, 1850	June 21, 1852	June 13, 1854	—	Ditto.
Snowden *v.* Snowden,	July 15, 1852	July 20, 1852	Oct. 21, 1853	Dec. 15, 1854	
Thompson *v.* M'Mechan,	Dec. 6, 1851	Dec. 16, 1851	Dec. 4, 1852	—	No application for posting.
Taylor *v.* Patterson,	Dec. 13, 1851	Jan. 2, 1852	Aug. 4, 1854	—	Ditto.

ANSWERS of WILLIAM BROOKE, Esq., Master in Chancery, to Questions in Paper No. 6.

Answers of William Brooke, Esq., Master in Chancery.

1. What is the general course of practice in your office with respect to proceedings for sale in cases under the 15th section of the Chancery Regulation Act ?

Master Lyle having kindly permitted me to see his answer to this question, I find it substantially describes the course of practice in my office with respect to proceedings for sale in cases under the 15th section of the Chancery Regulation Act. I need not trouble the Commissioners by repeating it here, more especially as I shall find it necessary in my answer to the fourth question to go through the several steps in detail, with a view to point out delays and their remedies.

2. Within what time after the presenting of the petition could a sale be had in your office by the exercise of ordinary diligence on the part of the solicitor, and in a case not presenting any peculiar difficulties or complexity?

I have set out, in Appendix A, annexed to these answers, a list of the eighteen sales which have actually taken place in my office under the 15th section of the Chancery Regulation Act, with their respective dates, furnished by my Examiner, Mr. Smith. Judging from that table, and from my recollection of the causes which retarded some of the cases there mentioned, it seems to me that the petitioner's solicitor, using ordinary diligence, and not encountering any particular difficulties, *ought* to bring the lands to a sale in ten months after filing his petition. But the average of the eighteen cases in Appendix A is about

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Answers of William Brooke, Esq., Master in Chancery.

twenty-two months, more than double the period, and, deducting four of them, which were unusually retarded, the average of the remaining fourteen is about seventeen months. This latter period may therefore be taken as the average time now occupied in cases of ordinary character. In my answer to the fourth question I will state how I think this period may be considerably reduced.

3. Can you estimate what the average costs would be in an ordinary case from the presenting of the petition to the distribution of the funds?

I have no personal knowledge or experience enabling me to give any information on the subject of this question.

4. Are there any means at present of preventing delay on the part of the solicitor in carrying on a sale, or have the Masters any power to expedite the proceedings; can you suggest any remedy for such delays?

In answer to this question I must consider, separately, the several stages in which delay may occur.

1st. The interval between filing the petition and the Chancellor's order of reference; the average length of this period in the eighteen cases in Appendix A is fifty-four days.

2nd. The interval from the hearing before the Lord Chancellor to the lodging of his order of reference together with a copy of the petition in the Master's office; the average in Appendix A is twenty-five days.

3rd. From lodging the petition in the Master's office to the first hearing before the Master.

This period is allowed to give the respondents notice, and that they may enter appearances.

4th. From the first hearing, on which the Master gives his directions as to pleadings and parties, to the second, on which he gives directions as to proofs.

During this interval the petitioner, if directed so to do, files his charge supplemental to his petition; or, if necessary, applies at the Rolls for leave to amend his petition; and he publishes such advertisements as the Master directs; in this period also the respondents file their discharges.

5th. From the second to the third hearing, when the decretal order ought to be made.

This is the time for the parties to prove their case by affidavits or depositions, or by other evidence. In the eighteen cases in Appendix A, the average time which elapsed from the first lodging of the petition and order in my office, to the pronouncing of the decretal order, comprising the last three intervals and their hearings, is six months and twenty-six days.

6th. From the pronouncing of the decretal order to the lodging of it, finally settled, engrossed, and initialed by the Master, with the Registrar of the Court of Chancery.

This takes about a fortnight; the solicitor is obliged by the General Order of the Court to lodge the draft in a week from the time he receives the Master's direction to prepare an order; it is immediately settled by my Examiner, to insure its being in the usual form and according to my notes, and a summons then issues to settle it before me, which comes on for hearing in three days, when it is discussed, and finally settled in presence of counsel; after which it is forthwith engrossed and filed in the Registrar's office.

7th. From the decretal order to the sale.

This is occupied in making out the abstract of title, consulting counsel, making searches, obtaining leave to sell subject to conditions of sale (where such are necessary), and settling such conditions; finally advertising, at a proper interval before the time of the sale; the average in Appendix A is twelve months and twenty-two days.

It is obvious that every possible delay must take place in one or other of these seven stages. I will, therefore, consider them *seriatim*, with reference to the fourth question.

The Master has no control whatever over the first or second intervals; but as I am asked to suggest remedies for delay, I propose that these two stages be entirely swept away. They appear on an average to occupy seventy-nine days, nearly three months, and involve the expense of a hearing before the Chancellor, for which I see no adequate reason. Let the solicitor, on lodging his petition at the Rolls, proceed immediately to lodge a copy in the Master's office; if the Master is qualified to decide much more important questions which daily come before him, he may be trusted to determine, subject to an easy and immediate appeal, the bounds of his jurisdiction.

The next three intervals, extending from the lodging of the petition in the Master's office to the decretal order for a sale, are entirely under the Master's control. Their average length in my office has, so far, been nearly seven months. An obvious shortening and cheapening of the proceedings of this period would arise from abolishing two of the three hearings before the Master; the first and second are nearly useless. In the first, in most cases, he merely directs that the petition should stand as a charge, with liberty to the respondents to file discharges; in the second he directs the parties as to their mode of proof, whether by affidavit or otherwise. There is no analogous proceeding, either in the present system of the Chancery practice in England, or in the old proceeding upon bill and answer. The only reason for the existence of these two steps is, that they formed part of the old system of practice in the Irish Masters' offices, upon which the new jurisdiction of the 15th section was grafted. But, I am of opinion, that the parties should be permitted to file such pleadings and make such proofs as their counsel advise, and I know of no benefit which arises from taking it out of their hands.

I propose that every cause petition lodged in the office shall be deemed a charge, and that every person whom the petitioner shall think proper to serve, so as to make him a party, shall be at liberty, within a limited time after service, to file a discharge, first entering an appearance. On this being done, there should be, in ordinary cases, a joinder of issue and proceeding to proof, without consulting the Master; and when the evidence is closed, the first

hearing should take place. I would have all these proceedings placed under strict limits as to time; not to be enlarged but by an order. I would have one rule, as to evidence, applicable to all cases, defining how far, and in what cases affidavits may be used; and so the parties would be relieved from the expense of obtaining, as now, the Master's special direction on the subject in every case. Special cases would need distinct rules, and could be easily provided for. For instance, when the petitioner only desires an account, or to amend his petition; or, in case the respondent considers he has a defence, such as would justify a plea or demurrer under the old practice.

The sixth interval occupies about a fortnight, and hardly admits of being shortened. It is most usefully employed in insuring that the decretal order shall accurately express the points decided on, and the evidence upon which it is founded.

The seventh interval is the longest of all, and the Master has but little control over it. It is that in which the abstract of title should be prepared, counsel consulted, searches made, conditions of sale and rental settled, the title approved of by the Master, and the sale advertised. The average time for all this, in Appendix A, has been nearly thirteen months. I believe the length of this period is chiefly caused by the delay in the Registry Office in furnishing searches.

It is to be remembered, that every decretal order for a sale, *in invitum*, must give the debtor at least three months' time for payment; according to the old practice, it was three months in case of a mortgage, and six in every other case. But acting under the very extensive powers given to the Masters, by the 17th section of the Chancery Regulation Act, in all that concerns the expediting of suits, I have not in any case given more than three months, unless the debtor gave me reason to believe that he really intended to pay the debt, and had grounds for hoping to be able to do so. In all such cases I have given ample time, so long as a reasonable expectation of payment could be shown to exist.

One mode of shortening this period, which I have practised, has been, in all cases, where no reasonable hope of payment is shown, to direct the solicitor, in my decretal order, to proceed forthwith to make out title. I do this that the three months' interval may not be lost, but usefully employed in preparing for the sale.

I believe every step in the proceedings might be usefully expedited by a general order to the effect, that the Master, in every order, should name a time, during which only the order should have validity, unless renewed by a special application; or the principle of Lord St. Leonards' eighty-first order of 1843 might be applied, whereby, a cause petition would stand dismissed with costs, unless brought to its proper termination within a limited time; but I should think the former mode would be more efficacious, and more easily adapted to the special circumstances of each case.

I have spoken of delays more or less remediable under the present system; but I must also state those which are inherent in the *system itself*. Besides the Chancellor and the Master of the Rolls, there are five Masters in Chancery, and three Commissioners of the Incumbered Estates Court; in all, ten equity judges, holding as many Courts, and all open at once, and busy every day: besides the common law and other courts. It is impossible that counsel and solicitors can attend them all, or even that a solicitor can provide an intelligent clerk to represent him in each Court where he may have business: the result is, that part of every day is wasted in discussing applications for postponement. Few cases of any weight can be fairly commenced until after several adjournments; and it constantly happens that, when an argument is prolonged to the second day, some distant day must be appointed to secure the attendance of all the counsel. A kindred evil, derived from the same root, is, that these unnecessarily numerous petty courts of equity, held each in a separate room, without any general attendance of the bar, or of the public, carry no authority with them, and are consequently deprived of the important aids which authority and public respect are sure to supply.

Questions of the greatest weight, and involving the largest amount of property, are discussed with one counsel on each side, and he, sometimes, of very limited experience. Cases, half argued, are brought to a stand still for want of documents, of which ordinary foresight might have taught the necessity. It often happens that, after publication has passed, and the final hearing has made some progress, it turns out that no regular or skilful direction of proofs has taken place, and that some most important fact has been left unproved.

It may, perhaps, be thought too trivial to be stated here, but it really seems to me the best illustration of my meaning, to describe what frequently occurs in my office. When a case in my list is called on for hearing, there is nobody present connected with it but one or two uninstructed clerks, who ask leave to go and call their counsel; the second case is then called on, and the third, and so on to the end of the list, all with the same result. The clerks have dispersed to look for counsel, and solicitors, and papers, and I am left alone. I have often waited an hour and more before any counsel has appeared: and if I had kept an account of the time so wasted, and could deduct it from the hours of attendance at my office, I am convinced it would exhibit a serious diminution. I might, on such occasions, strike out all the cases, and oblige the parties to take out fresh summonses; but the expense of a summons, with its services, is serious; and, as the Taxing Master would not allow the solicitor this expense, even as against his client, I could not, in fairness, refuse the solicitor an opportunity of excusing himself, which would occupy much of my time, without any benefit to the suitors; besides, I think it hard to punish the solicitor for what, under the present system, is unavoidable.

Upon the whole, more than four years' experience of the plan of making Masters in

PAPER No. 6.

Answers of William Brooke, Esq., Master in Chancery.

Chancery do the work of judges, leads me to believe, that it never can be satisfactory to the suitors, or sufficiently command public respect.

5. Is any delay at present occasioned in the prosecution of cases by the pressure of business in your office?

There is no delay in my office at present caused by the pressure of business, nor has there been for many months, I might, I believe, say years, save only that, for the first two or three weeks of each term, there is a crowd of cases, but they are soon disposed of. There is not one single case in arrear in my office, and the summons of each day is in the list of the third day after, and is, almost always, then disposed of, if the parties are ready; but I am often obliged to yield to their applications for adjournment.

6. Is there at present any arrear of business in your office, or is the amount of business sufficient to occupy the time of your court?

I have answered already that there is not any arrear. The amount of business is not enough to occupy the time of my court. Thirty hours a-week, for thirty-nine weeks, constitute the annual time of the Master's sittings, if he was to sit every day, and was fully employed, that is, 1,170 hours. But I find, by the return made in November last to the Chancellor, under the 16 sec. of the 4 & 5 Wm. IV. c. 78, that the number of hours during which I attended at my office in the preceding year, was 860, leaving 310 unoccupied, though all my business was done. Not less than one-third of that time was occupied by business relating to receivers, and all that class of business is in a course of rapid transference to Master Lyle's office. He, I believe (illustrating the value of the division of labour) has adopted a uniform system, by which he is skilfully and satisfactorily managing the greatest part of the receiver business of the court.

Supposing that branch of the other Masters' duties removed, and they provided with competent assistance, by the appointment of additional officers, who would undertake the laborious and responsible details, which require no judicial skill or experience; and, supposing the various causes of delay above suggested, met by suitable remedies, I conceive that each of us might dispatch a great deal more business than he does at present.

In appendix B I have set out a statement, also prepared by Mr. Smith, my Examiner, of the number of petitions referred to me under the 15th section of the Chancery Regulation Act, in each year, from the 14th August, 1850 (the date of the Act) to 14th August, 1854, and the number of orders made by me, distinguishing interlocutory orders from final.

WILLIAM BROOKE.

Appendix A.

APPENDIX A, to which the foregoing Answers refer.

Title of Matter.	Date when Petition lodged for the Chancellor.	Date of Order of Reference.	Date when Order lodged in Master's office.	Date of Master's Order for sale.	Date of Sale.	Total Time. Mths.	Days
1 Darley *v.* Darley,	Dec. 4, 1851	Dec. 6, 1851	Dec. 30, 1851	Feb. 7, 1852	Apr. 7, 1852	4	3
2 Burrowes *v.* Colthurst,	May 14, 1851	June 14, 1851	June 27, 1851	Dec. 17, 1851	July 1, 1852	13	16
3 Saunderson *v.* Grant,	Nov. 12, 1850	Dec. 7, 1850	Dec. 30, 1850	May 7, 1851	Aug. 10, 1852	20	29
4 Crosthwaite *v.* Roughan,	Jan. 2, 1851	Jan. 21, 1851	Jan. 24, 1851	July 18, 1851	May 7, 1853	28	5
5 Moore *v.* Wilson,	Nov. 19, 1851	Dec. 4, 1851	Jan. 9, 1852	Feb. 21, 1853	June 24, 1853	19	5
6 Milner *v.* Lawder,	Nov. 17, 1852	Dec. 7, 1852	Dec. 17, 1852	Jan. 20, 1853	July 20, 1853	8	3
7 Connell *v.* Connell,	Mar. 2, 1852	May 12, 1852	June 2, 1852	Nov. 3, 1852	Oct. 20, 1853	19	18
8 Dempsey *v.* Dowdell,	June 2, 1852	June 18, 1852	June 30, 1852	Nov. 8, 1852	Nov. 5, 1853	17	3
9 Blakeney *v.* Doyle,	June 16, 1852	June 18, 1852	July 17, 1852	Jan. 20, 1853	Nov. 7, 1853	16	22
10 Low *v.* O'Donnell,	Feb. 24, 1852	May 12, 1852	Nov. 19, 1852	Feb. 12, 1853	Dec. 22, 1853	21	28
11 O'Flaherty *v.* Killery,	Dec. 23, 1851	Jan. 22, 1852	Jan. 26, 1852	Feb. 26, 1852	Jan. 11, 1854	24	19
12 Geoghegan *v.* Reilly,	May 15, 1851	May 12, 1852	June 2, 1852	May 10, 1853	Jan. 25, 1854	32	9
13 Dyer *v.* Bessonett,	Mar. 27, 1852	May 12, 1852	May 22, 1852	Aug. 9, 1853	Apr. 20, 1854	24	24
14 Murray *v.* Dewhurst,	May 10, 1853	May 14, 1853	May 20, 1853	July 2, 1853	Nov. 6, 1854	17	26
15 Marlay *v.* Waller,	May 5, 1851	May 17, 1851	May 22, 1851	Jan. 19, 1853	Nov. 9, 1854	42	4
16 M'Neill *v.* Hamill,	Apr. 20, 1853	May 7, 1853	June 15, 1853	Feb. 13, 1854	Nov. 10, 1854	18	20
17 Butler *v.* Burke,	Dec. 18, 1852	Jan. 15, 1853	Jan. 22, 1853	Mar. 10, 1853	Nov. 11, 1854	23	4
18 Miller *v.* Doherty,	Nov. 26, 1851	June 18, 1852	July 6, 1852	Nov. 3, 1852	Nov. 11, 1854	35	15
					Total of 18 Cases,	388	9
					Average of 18 Cases,	21	17

Appendix B.

APPENDIX B, to which the foregoing Answers refer.

Period.	No. of Petitions referred.	No. of Orders made Interlocutory.	No. of Orders Final.	Total.
August 14th, 1850, to August 14th, 1851,	49	47	17	64
,, 1851, ,, 1852,	95	74	30	104
,, 1852, ,, 1853,	108	112	66	178
,, 1853, ,, 1854,	62	138	40	178
Total,	314	371	153	524

Answers of Jeremiah John Murphy, Esq., Master in Chancery, to Questions in Paper No. 6.

Paper No. 6.

Answers of Jeremiah John Murphy, Esq., Master in Chancery.

1. What is the general course of practice in your office with respect to proceedings for sale in cases under the 15th section of the Chancery Regulation Act?

The practice in my office, with respect to such sales, is the same as that existing before the passing of the Chancery Regulation Act. Upon the original hearing, under the Lord Chancellor's order, postings for incumbrancers to come in and prove charges in six weeks, are directed: to be discharged by the proper parties in three weeks. If either the party to file the charge, or the party to discharge omit to do so within the times respectively limited, he must, *at his own expense*, issue a summons to have his charge or discharge received. If no discharge be filed within the time limited, the party filing the charge must issue a summons to take it as proved. When all charges and discharges have been ruled, it is the duty of the solicitor having the carriage of the proceedings to serve a notice on all parties and creditors to show cause why a peremptory summons should not issue, to settle the *final* order. When such order is made up by the solicitor, a summons (similarly served) is issued to settle it—when settled and signed, the solicitor forthwith proceeds to make out title, issues a summons to settle conditions of sale (if necessary), and when these are settled, a further summons is issued to inspect and certify the abstract of title. When the abstract is certified, a posting for a sale is signed by the Master, and duly published.

2. Within what time after the presenting of the petition could a sale be had in your office by the exercise of ordinary diligence on the part of the solicitor, and in a case not presenting any peculiar difficulties or complexity?

In such a case a sale can, with proper diligence, be easily had in six months from the time the order is brought into the Master's office, so far as my office is concerned: before that time the Master has no control over the petition matter.

3. Can you estimate what the average costs would be in an ordinary case from the presenting of the petition to the distribution of the funds?

I am wholly unable to answer this question, never having seen, to my recollection, a bill of costs in such a case, but I am satisfied that the amount of such costs is considerably greater than it ought to be; and that it could be rendered less under a proper and in a great degree self-working system, and one leaving less depending on solicitors than the present system, which is, in my opinion, productive of delay and of expense, acting upon and reproducing each other—the expense producing delay, and the delay expense.

4. Are there any means at present of preventing delay on the part of the solicitor in carrying on a sale, or have the Masters any power to expedite the proceedings; can you suggest any remedy for such delays?

The means at present adopted to prevent delay on the part of solicitors are. 1. The Master limiting the time for filing charges and discharges. 2. Making (as I invariably do) the party applying after the time limited, pay the costs of obtaining permission to file the charge or discharge, including the costs of summons, &c. 3. By the Taxing Master not allowing these costs to the solicitor against his own client (which I presume he will not), if the delay was caused by the solicitor's neglect. 4. The power given to the Master upon the application of any party or creditor, in case of delay on the part of the solicitor having the carriage of the proceedings, to transfer it to the party applying, and to make the solicitor in default pay the costs of the application. The only other remedy which I can suggest, consistent with the present course of proceeding, and which appears to me to be feasible, (although I am bound to state the other Masters, or some of them as I believe, object to it, by reason, as they perhaps justly consider, of the great difficulties attendant on it), is that the Master should, in the first instance, limit a time, within which the solicitor having the carriage of the proceedings should obtain the Master's final order; and secondly, that such final order should, in all cases, limit a time within which the same solicitor should have the abstract of title certified, and the posting for sale issued; and in case the Master did not, before the expiration of such periods, enlarge the time upon a proper case, made by affidavit, his examiner (who should keep proper entries for the purpose, as now, with regard to receivers' accounts), should take the necessary steps to place the matter on the Master's list, for his consideration, whereupon the Master should transfer the carriage, and otherwise deal with the costs of the matter, as might be expedient. This would insure a judicial supervision and control over any delay, on the part of the solicitor, and thus tend to produce the requisite diligence.

5. Is any delay at present occasioned in the prosecution of cases by the pressure of business in your office?

Yes, arising from two causes, first, the unusual magnitude of some three or four cases which have been lately before me, involving disputed partnership, and other accounts of long standing, and the protracted *viva voce* examination of witnesses. Secondly, my unavoidable absence from my court for a fortnight, occasioned by severe illness; this pressure is but temporary.

6. Is there at present any arrear of business in your office, or is the amount of business sufficient to occupy the time of your court?

There is an arrear of business entered in my office at present, which, if I can get counsel to attend, will probably be brought up in a fortnight, or at the most three weeks, including the current business, so as to leave no arrear of any cases entered for hearing within two clear days, being the earliest time at which they are capable of being heard.

PAPER No. 6.

Answers of Jeremiah John Murphy, Esq., Master in Chancery.

Generally speaking, for some time past there has been no arrear of cases entered for hearing in my office undisposed of. Judging from the amount of business *brought before me*, during the last two years, I am bound to state that it would not have been sufficient to occupy the whole time dedicated by the existing rules to the business of my court; for owing to the absence of counsel and solicitors during the vacations of the Lord Chancellor, and Master of the Rolls, or the times when they do not sit, and during circuits, my time has been comparatively unoccupied; and I have been compelled, very frequently, after an hour's sitting, to postpone cases, which might then have been disposed of, until the terms or the court's sittings—and yet there has seldom been any arrear of cases entered in my list. Cases of great apparent importance and complexity are daily coming into my office, under the 15th section of the Chancery Regulation Act, such as heavy administration and partnership suits. Until these are in a further stage, I cannot undertake to state, whether the business of my court is or not likely to occupy my whole time during the current year. I regret that I cannot give a more satisfactory answer to this question.

JEREMIAH JOHN MURPHY.

Answers of Acheson Lyle, Esq., Master in Chancery.

ANSWERS of ACHESON LYLE, Esq., Master in Chancery, to Questions in Paper No. 6.

1. What is the general course of practice in your office with respect to proceedings for sale in cases under the 15th section of the Chancery Regulation Act?

The solicitor having the carriage of the proceeding brings into the Master's office a copy of the petition and order of the Chancellor referring same, and takes out a summons for hearing for a day twenty-one clear days after the date of summons, and one fortnight after the date of service on respondent. When the case is put into the list, pursuant to the summons, the petition is opened by counsel, and if the respondent appear to defend the case and the evidence be ready in support of the petitioner's right, and on behalf of the respondent against it, the case is heard and an order made thereon, either declaring the petitioner's right or dismissing the petition. If the respondent do not appear, sufficient evidence is taken to show the petitioner's title, and if an account be necessary to ascertain the amount due to him on foot thereof, an order is made, for the most part, that the petition do stand as a charge, with liberty to respondent to discharge it within three weeks, or such other period as may be thought proper. If a discharge be filed, another summons issues on the petition standing as a charge and the discharge to it, and further evidence is read, or if not ready, the mode of taking it is directed. If no discharge has been filed, a summons issues to take petition standing for a charge as proved. When charge proved in either mode, directions are given for a decretal order. The solicitor for the petitioner having obtained such directions, prepares a draft order, which must be lodged in the office within a week, and a summons is then issued to settle it. This done, the decretal order is settled, signed, and filed. If the order be for payment of a sum due, a time, usually three months, is given for the payment, and in default thereof, in cases where the petitioner is entitled to it, a sale is ordered; and in the latter case the petitioner is directed to advertise for all persons having charges on the lands to come before the Master and prove same. The time given for those charges to be filed is usually four weeks, and if charges are filed, discharges may also be filed, pursuant to directions previously given as to the persons who are to be at liberty to file same. A summons is then issued upon each charge, and the discharge thereto, and evidence is laid before the Master in support of the charge and in opposition to it, and the Master makes his order accordingly, allowing or disallowing it in the whole or in part. Meantime a receiver may be appointed in fit cases, and the petitioner, if prepared to nominate one, and have an understanding from him to act, may have him appointed by name in the order, which may also measure the amount of his security, and contain an order on the tenants to pay their rents.

When a sale is ordered in default of payment, the solicitor may, according to the practice in my office, make out an abstract of title, and take the opinion of counsel thereon; prepare requisitions for the searches directed by counsel, and lodge them in the different offices where searches are to be made, though, I believe, in some of the Masters' offices this is not permitted until the respondent has made default in payment within the time allowed him. When the searches are completed in the offices, the solicitor should inspect same, and, if nothing appear thereon to affect the title, should make an affidavit that such is the result of the searches, and should bring the abstract, opinion, and affidavit into the office, and issue a summons to inspect the title; and, if any conditions of sale have been directed by counsel as necessary, obtain an order to sell, subject to such conditions, and settle same. Upon the summons the conditions are settled, title approved of, and a posting for sale directed. A posting then issues, usually for a sale on a day in Term or sittings of Court after, at an interval of six weeks or two months, and the mode of publication is directed. If the sale be held in the office, and that a sufficient price be offered on the day of sale, the purchaser is declared, and he is required to lodge the one-fourth of his purchase-money in bank, and on production of a certificate of lodgment enters a rule to confirm sale. When this rule is made absolute, the purchaser pays in the remaining portion of his purchase-money, and is entitled to have a conveyance of the lands executed to him. The petitioner, as soon as the sale is confirmed and money lodged, obtains an order to allocate same, and on this files a statement showing the funds in bank and the

rights of all parties, petitioner and creditors, to same; issues a summons upon the order, and brings the matter before the Master, serving all parties. On this summons the Master ascertains the rights of the parties to the funds, with their several priorities, and declares same; and having obtained such order the petitioner must go to the Chancellor or Master of the Rolls for an order for payment.

2. Within what time after the presenting of the petition could a sale be had in your office by the exercise of ordinary diligence on the part of the solicitor, and in a case not presenting any peculiar difficulties or complexity?

There have been nine orders for sales in cause petitions, under the 15th section of the Chancery Regulation Act in my office; and I have appended to these answers a schedule showing the dates of the several proceedings from the order transferring the cause into the office until the sale, from which it will be seen, that the time from the presenting the petition to the sale has been very various. This must necessarily be the case from the variety of difficulties which the several cases present in the way of making out title. I should say, however, that by the exercise of ordinary diligence on the part of the solicitor, and where the respondent does not interpose any difficulties, a sale might be had in the space of twelve months. The case of Ryan *v.* Massy was rather a complicated one; and though a period of three months was allowed to intervene between the obtaining of the order and the bringing it into my office, the sale was had within a few days of one year after the order was obtained.

3. Can you estimate what the average costs would be in an ordinary case from the presenting of the petition to the distribution of the funds?

I have no mode of estimating the average costs of the proceedings; such can easily be obtained from the Taxing Masters of the Court.

4. Are there any means at present of preventing delay on the part of the solicitor in carrying on a sale, or have the Masters any power to expedite the proceedings; can you suggest any remedy for such delays?

The only means that I am aware of to prevent delay on the part of the solicitor in carrying on a sale, are the powers given to the Master on the application of any party interested in the matter to transfer the carriage of the proceedings to his solicitor, when the solicitor for the petitioners or other person having the carriage of it is guilty of unnecessary delay. This power I have always, in proceeding under references previous to the Chancery Regulation Act, freely exercised, and am prepared to do so equally in cause petitions under the 15th section of that Act. But I do not think the Master could usefully attempt, of his own mere motion, and when not called upon by any of the parties interested, to exercise any control over the proceedings, or try to force them on. He may give short intervals between the different stages of the proceedings, require his orders to be brought in and perfected within short periods after directions have been given for them, and he may perhaps somewise expedite the matter by permitting some proceedings to be taken, *de bene esse*, whilst the time is running, on the expiration of which they would perhaps more properly be done. As in the instance mentioned in reply to the first quere, where I and some of the Masters permit the making out of title to be proceeded with before the time given to the respondent to pay the demand, has expired, *and so far, and in such manner*, I consider the 37th General Order of the Lord Chancellor, dated the 31st July, 1851, may in some measure be effectuated; but I am persuaded, that any attempt to institute an inquiry into the conduct of a solicitor, where such conduct is not complained of either by his own client, or by others, would be utterly futile, and probably productive of mischief. The Masters have no means of knowing of the necessity of such an inquiry, or powers of carrying it on, with which the Chancellor and the Master of the Rolls are not equally invested in the Equity Courts, or the chief judges in the law courts; and it has never been thought advisable to require those functionaries to force the suitors on to a termination of the matters in litigation before them.

5. Is any delay at present occasioned in the prosecution of cases by the pressure of business in your office?

There is no delay at present occasioned in the prosecution of cases by the pressure of business in my office. A solicitor bringing in an order can have a summons to proceed upon it on the first day after the prescribed period when the summons can be made returnable under the rules of the Court, and the case may be heard on that day if the parties are ready.

6. Is there at present any arrear of business in your office, or is the amount of business sufficient to occupy the time of your court?

There is no arrear of any kind in my office at present. Every case ready for hearing may appear in *my list of the day*, and very seldom stands over unheard, unless postponed at the instance of the parties. The arrear, however, is prevented by considerable exertion, and I think the amount of business quite sufficient to occupy the time of my court.

Acheson Lyle.

[Schedule.

PAPER No. 6.

Schedule.

SCHEDULE.

Title.	Date of Order of Reference.	Brought into Office.	Date of Decree.	Posting for Sale.	Sale held.	Observations.
Reeves *v.* Behan, . .	June 28, 1851	July 2, 1851	July 24, 1851	Aug. 8, 1851	Nov. 4, 1851	Not sold, for want of bidders, and no further proceedings in the matter.
Beamish *v.* Bramble, .	June 21, 1851	July 1, 1851	Aug. 5, 1851	Dec. 3, 1851	Dec. 21, 1851	
Symes *v.* Kenny, . .	Feb. 10, 1851	Jan. 13, 1852	March 22, 1852	April 22, 1853	July 6, 1853	Not sold.
				Adjourned July 21, 1853	July 28, 1853	Ditto.
				Adjourned Nov. 11, 1853	Nov. 21, 1853	Sold. The sale in this case was delayed by ineffectual attempts of the respondent to raise money to pay off the demand.
M'Mahon *v.* Fishbourne,	May 21, 1851	June 25, 1851	Oct. 22, 1852	Aug. 5, 1853	Nov. 10, 1853	
Stevenson *v.* Hanly, .	Feb. 1, 1851	Feb. 15, 1851	April 24, 1851	Aug. 3, 1853	Oct. 21, 1853	Sale confirmed, Feb. 7, 1854.
Sly *v.* Rudd, . .	Jan. 22, 1852	Jan. 27, 1852	Nov. 17, 1852	Dec. 9, 1853	Jan. 17, 1854	Sale confirmed, August 5, 1854.
Hopkins *v.* Spiers, .	May 12, 1852	Aug. 2, 1852	June 7, 1853	Jan. 13, 1854, held in country,	Feb. 14, 1854	
Dancer *v.* Purdon, .	July 7, 1851	July 28, 1851	Feb. 16, 1853	Dec. 20, 1853	Feb. 16, 1854	
Ryan *v.* Massy, . .	Jan. 28, 1854	April 29, 1854	July 1, 1854	Dec. 21, 1854	Feb. 1, 1855	Sale not yet confirmed.

PAPER No. 7.

Questions addressed to Members of the Bar.

PAPER No. 7.—QUESTIONS addressed to MEMBERS of the BAR.*

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

2. Have you observed any defects or imperfections in that course of practice?—If so, state the same, and any remedies which you can suggest.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

4. What are the peculiar circumstances in the constitution of the Court or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

6. Is the proceeding for sale of an estate in Chancery, under the 15th Section, as prompt or as effectual a proceeding as a Petition in the Incumbered Estates Court?

7. If the Court of Chancery had power to give a Parliamentary Title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

9. Can you estimate the comparative expenses at present of a Sale in Chancery, under the 15th Section, and a Sale in the Incumbered Estates Court, and what causes the difference in expense?

10. What, according to your experience, have been the practical results of giving a Parliamentary Title?

11. In your opinion, should the privilege of obtaining a Parliamentary Title be continued and made permanent?

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary Title by submitting his Title to a judicial investigation?

13. Should the privilege of obtaining a Parliamentary Title be limited to lands of any particular tenure?

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

15. What would you suggest as to the right of appealing from the Master's orders in case the duties of the Commissioners were transferred to them?

Answers of Robert Longfield, Esq., Q.C.

ANSWERS of ROBERT LONGFIELD, Esq., Q.C., to Questions in Paper No. 7.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

According to my experience, confirmed by frequent discussion with intelligent Members of the Bar and Solicitors, the course of practice and procedure adopted in the Incumbered Estates Court has, on the whole, worked remarkably well. Had the system been earlier established in this country, and been made permanent, it would have worked still more successfully, as I am convinced that some injustice and individual hardships arose from the

* The above Paper was sent to the following members of the Bar: Rickard Deasy, Esq., Q.C.; Hamilton Smythe, Esq., Q.C.; Robert Longfield, Esq., Q.C.; C. Rolleston, Esq., Q.C.; E. Hayes, Esq., Q.C.; B. C. Lloyd, Esq., Q.C.; P. J. Blake, Esq., Q.C.; Alexander Norman, Esq.; James Rogers, Esq.; David Sherlock, Esq.; R. R. Warren, Esq.; W. B. Drury, Esq.; E. B. Lawless, Esq.; and William Smith, Esq.

The above gentlemen were selected, as practising in both Courts—the Court of Chancery and Incumbered Estates Court.

system having been introduced to meet a sudden necessity, produced by the long-continued abuses of the Court of Chancery, and from the duration of the Commission being limited. The Legislature in effect said an enormous mass of property must be sold within five years. The temporary renewal of the Commission had, of course, some tendency to check this evil.

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

I have, from time to time, observed some defects and imperfections in the practice of the Commission, not, however, to the extent which might have been anticipated from the introduction of a new and untried system, dependent for its success on the constant and active personal exertions of the Commissioners. The chief defect is, I think, this—that the proceeds of the sales are not distributed with the same promptitude with which the other proceedings are conducted. The Commissioners have frequently noticed this subject, and have endeavoured to prevent this delay, but have not wholly been successful. There is great delay caused by the Registry of Deeds' Office; the Searches ordered by the Commissioners are often four and six months before being completed, and this without, perhaps, any culpable remissness on the part of the Solicitor having carriage of the sale, or of the officers of the Registry Court. There has been a great increase of business in the Registry Office, produced by the working of the Incumbered Estates Commission. Searches must be made with care; but few officers can be employed at the same time at the books, and hence, probably, the delay in getting in the proper searches. I think that it might be expedient not to permit a sale to be advertised until the searches were produced, and the schedule of claims first lodged. The final Schedule might thus be expedited. I must, however, observe, that even with every disadvantage of delay from searches, &c., the distribution of money proceeds with a rapidity and despatch wholly unknown to the old practice of the Court of Chancery. Many instances occur in this latter Court of the investigation of title after the sale, occupying two, three, four, and even eight years, during which the purchase money of the estate is undistributed.

It would be, I think, desirable to limit a time for appealing from orders of individual Commissioners to the full Court, as in cases of appeal from the full Court to the Privy Council. The situation of the Court has, I consider, been an obstacle to the more popular and effective working of the Commissioners. The attendance of the Bar could not be as readily obtained as at the Masters' Offices or Four Courts; it is inconvenient to Solicitors, tends to isolate that Court and the practitioners from the other Courts and members of the profession, and this is in itself a disadvantage. There is also some want of subordinate officers in the departments of the Commission.

4. What are the peculiar circumstances in the constitution of the Court or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

The circumstances in the constitution of the Court of Incumbered Estates and its practice to which I consider its successful operations are mainly attributable are the following:—The Court was in itself, at its commencement, a complete, original (not delegated) and absolute jurisdiction, and not a mere alteration of an old defective system, or an appendage to a Court *then* in the very greatest disrepute—the Court of Chancery—from the unreformed abuses of which arose the necessity of a new tribunal. The Act 12 and 13 Vic., c. 77, the Incumbered Estates Act, is a remarkably clear and well-drawn statute, penned by no ordinary draftsman, and containing provisions meeting the very points in which the practice of the Court of Chancery was then defective. The 9th, 10th, 15th, 21st, 23rd, 24th, 27th, 30th, 42nd, 49th, 50th, and 52nd Sections were highly important and well considered provisions. The Commissioners framed plain General Orders, sanctioned by the Privy Council, and circulated Forms of Application, Petitions, Charges or Claims, Notices to Tenants and Creditors, Abstracts of Title, Schedule of Incumbrances, &c., so that an intelligent Solicitor, without the aid of Counsel, and without the embarrassment of pleadings, could present a petition for sale of an estate and sell it, realize his client's demands, and distribute the proceeds of the estate. The ascertainment of tenancies and a Parliamentary title, without any expense to a purchaser, were very attractive features in the system. To Solicitors a facility—by some, indeed, considered a reprehensible temptation—was afforded, of conducting a sale in the Incumbered Estates Court, by proceedings in the Court being exempted from fees and stamps, and by their costs being insured out of the funds without regard to the priority of their clients' demands. Much abuse was heaped on this particular provision, which was said to be directly at variance with the practice of the Court of Chancery, and in the last Incumbered Estates Continuance Act the section was modified, by declaring that of petitions presented after that Act by incumbrancers, the petitioner should only have his costs in the same priority with his demand, unless the Court ordered otherwise. This was conceived to be adopting the rule of Chancery, while in reality it is a complete departure from it. In Chancery the cost of a creditor's suit in which the estate was sold, was divided into two portions without the least solid foundation for any such division—the 1st, the portion up to the final decree, was paid only in the priority of the claim; the 2nd, including all the costs of making out the title, of the sales, adjournments, investigation of title after sale, and to the final allocation, called "Post Costs," was paid as the first charge out of the fund, and money was always liberally advanced out of funds in Court to the Solicitor on foot of these costs. These might amount, as in O'Byrne *v.* M'Mahon, to several thousand pounds. Now the costs paid out of the funds of the Commissioners were strictly "Post Costs," and since the recent modification of section 30 it might happen that a creditor proceeding in Chancery under section 15 might be paid all the costs, save the

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comparatively small preliminary costs, up to the final decretal order in the Master's office, as a first charge; when, if the same creditor sold the estate before the Incumbered Estates Commission, he could get no portion of his costs save with his demand. In my judgment, there is no valid reason for punishing a creditor whose security has not proved to be ample by depriving him of his full costs. The costs of sale, including all those incidental proceedings necessary by the forms of the Court should be paid, in the first instance, out of the proceeds. The rule giving costs only with the demand is one of comparatively recent introduction into the Court of Chancery in Ireland, and did more to produce an utter stagnation of creditors' suits and stoppage of sales than can be well imagined.

The ascertainment by judicial investigation, concluding all parties, of the tenancies, was a valuable power and duty imposed on the Commissioners. It proves very satisfactory to purchasers, and, I think, it has also greatly conduced to the protection of the tenants, both under the Court of Chancery and under the embarrassed proprietors whose estates were sold. A purchaser is freed from all litigation from tenants or claimants of tenancies not named in the Schedule, and the poor tenants have their rights secured to them. The 50th section is a highly important one; but for it, I consider, the Commissioners would have been almost powerless. The first injunction or prohibition would have destroyed the prestige and useful power of the Court. The Commissioners would have found it impossible to continue their labours. But I am induced to consider as almost the most useful part in the constitution of the Incumbered Estates Court its modes of appeal both to the three Commissioners sitting together, and to the Privy Council. By the Commissioners sitting together to hear appeals from orders made by each in Chamber, uniformity of practice was quickly established, cases were reheard, and at a very moderate expense, by Judges well acquainted with the practice of the Court, and without the least prejudice in favor of or against individual decisions, and, in a great majority of cases, the judgments on appeal to the full Court gave satisfaction. The Court of Final Appeal to the Privy Council, I have always regarded as the best equity Court of Appeal which could be devised; and I think it so valuable that it should, in my opinion, be adopted, (with some slight improvements), in any alteration of the equity jurisdiction in Ireland. There is practically no appeal at present from the decision of the Lord Chancellor. The enormous expense and lottery of an appeal to the House of Lords are a luxury to be indulged in only when the property at stake is very large. The costs in nine out of ten cases act as a direct prohibition on such appeals; and I rather think that the difficulty and expense of appeals to the House of Lords are felt as a very serious grievance by suitors in the Court of Chancery.

I have incidentally stated that the simplicity of the proceedings in the Incumbered Estates Court has essentially contributed to its success: any Solicitor or his Clerk can understand the statements in a Petition and Final Schedule, or Rental, &c.—all is plainly stated, and the Schedule especially is a common tabular statement in chronological order and with appropriate columns for the various claimants and owners of incumbrances, when and how created, by whom, in whom vested, how much due, and observations. The eye at once catches dates and names. The contrast between a report in Chancery *e.g.*, in Delacour *v.* Freeman, Buist *v.* Tennant, finding priorities, and a Final Schedule, *e.g.*, Lord Mountcashel's or Lord Belmore's, would be striking, both as to volume and simplicity. The novelty of the Court involving the appointment to all its departments of new men, and generally young men, not wedded or trained to any old system, and all emulous of working the new jurisdiction, had, I doubt not, an important effect in the successful operation of the Court.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

If the powers of the Incumbered Estates are transferred or given to the Court of Chancery, the practice must also, I conceive, be adopted, at least in its leading features. The essential difference between a sale by the Commissioners and by the Court of Chancery, as at present conducting its sales, is, that in the one the Commissioners really sell, investigate, and adjudicate carefully and solemnly on the title. The Master in Chancery does not. A sale in Chancery is merely conducted by Solicitor and Counsel, and I have no doubt that decrees, reports, allocations, &c., are equally the work of the suitors, and not of the Judges. The practice (speaking of it as a system), should be transferred, together with the jurisdiction, and with such judicious alterations as experience may, from time to time, suggest; the ruling idea in the alterations being always to make the Master more the real decider and investigator than at present. It would, I conceive, be most injurious to transfer the power of the Incumbered Estates Court to Chancery, unless the practice of the latter is greatly altered.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a Petition in the Incumbered Estates Court?

With the present great pressure of business in the Incumbered Estates Court, while the business of the Court of Chancery, under the 15th section, is not, I think, at all developed to the extent which a few years will see it attain, a small estate can, perhaps, be *sold* as promptly in Chancery as by the Commissioners; but the money would not be as soon distributed. The sales under that section have been few and trifling; and I know of no large estate yet sold under it—indeed for the last twenty years the only really extensive sale made by the Court of Chancery was that of the Blessington estates. That, however, took place under the powers of a private Act of Parliament, which considerably facilitated the sale, diminished the expense, and obviated the necessity of a tedious investigation of title. The sale itself was the sole business of the Master for weeks. The Belmore, Mountcashel,

and Portarlington estates were sold by the Commissioners in a day or two each, and quite as well. The time required in either Court to sell large estates must, of course, greatly increase, but in a far greater ratio in Chancery. I must also observe that the system of proceeding under the 15th section, although a decided and most valuable improvement on the mode of dealing with such cases by the Court of Chancery, is capable of being much simplified and expedited. The trifling formality of a hearing before the Chancellor should be got rid of; so the hearing before the Master, Counsel opening again the petition, stating his case and proofs, and taking a decretal order, making up this order, all proceedings by charge and discharge, final decretal order, &c. The object of the Masters, (perhaps by some to be commended), seems to have been to assimilate their proceedings, under section 15, to those which took place under the old course of the Court. Their true object should have been to avoid all such analogies, and to have originated a simple and cheap method of proceeding, regardless of all old traditions and ceremonies.

7. If the Court of Chancery had power to give a Parliamentary Title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

If the Court of Chancery had power to give a Parliamentary Title I do not think, unless the system of procedure was greatly changed, that Court could sell estates as quickly and as cheaply as in the Incumbered Estates Court; and, for the following reasons; such a power would at once attract much business to that Court, and of a kind most tedious and embarrassing to a Judge. There is more real exertion of mind in selling one estate with Parliamentary Title than ten without it. This answer must of course be understood as applied to the Court of Chancery as at present constituted, with the existing Masters and their officers, already, I think, nearly fully employed. I have known an account of charges affecting an estate sold by the Commissioners, pending in Chancery from 1848 to 1854. I see no reason to think that similar cases might not, if the estate to be sold in Chancery were long in any family, be of frequent occurrence. It would, however, I am sure, be quite possible by an increase of Masters and working staff of the Court of Chancery, by a judicious revision of the system of procedure, and a watchful check and supervision of the cases pending, to make that Court expeditious and efficient in the selling of estates. Some of the necessary alterations I shall indicate in answering questions Nos. 15 and 16.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

In case the powers of the Incumbered Estates Court are transferred to the Court of Chancery, it certainly would be unfair not to continue the exemption from fees and stamps in Chancery proceedings. It will, I think, be found that the great outlay for fees and stamps necessary heretofore in Chancery had a most prejudicial effect on the progress of a cause in that Court. It operated as a heavy burden on solicitors and suitors, and from an inability merely to defray the expenditure suits were delayed and often stood still. All writers on social and political questions are disposed to concur in censuring taxes on legal proceedings. The subject has the same complete right to the free use of the tribunals of the country to defend his property and his life. I would be disposed to recommend a small uniform court stamp (not exceeding 6*d.*), on every document, not for the purposes of revenue, but of authentication. Law fund stamps are of a very recent introduction, and should never have been permitted.

9. Can you estimate the comparative expenses at present of a Sale in Chancery, under the 15th section, and a Sale in the Incumbered Estates Court, and what causes the difference in expense?

It is impossible at present to make any trustworthy comparison between the rapidity and expense of proceedings to sell estates under the 15th section of the Chancery Act and by the Commissioners of Incumbered Estates. No returns have, so far as I am aware, been published or made by the Masters, similar to those from time to time furnished by the Commissioners, setting forth the Petitions pending in each of the Masters' offices, dates of reference by the Lord Chancellor, dates of hearing before Master, of decretal order, final decree, sale and allocation or winding up, so far as they have been finally disposed of, and the costs. Without a comparison of clear returns, applying to all petitions concluded or pending under section 15, and those presented to the Commissioners, any opinion expressed as to the relative expedition and expense of proceedings before the Court of Chancery and the Commissioners, must be only an imperfect deduction from some few selected cases, and subject to be affected by a preconceived professional bias in favour of the Commissioners or Chancery practice, as the case may be. It would, I think, appear, if the returns I have suggested were procured from the Masters, that in the proceedings before them the costs of fees to Counsel, stamps, and fees were much larger than in the Incumbered Estates Court, while the costs of advertising, preparation of rentals, and survey, were larger in the latter Court.

10. What, according to your experience, have been the practical results of giving a Parliamentary Title?

The practical results of giving a Parliamentary Title have been chiefly, I conceive, a greatly increased confidence in purchasers, an actual addition to the marketable value of Incumbered Estates—purchasers being willing to give much larger sums in consequence of not having to pay heavy costs on the investigation of title—and an increased facility of dealing with land. The costs of a purchase from the Commissioners average about 1 per cent. on the purchase money, while in Chancery the expense ranges from 5 to 15 per cent. In the newspapers advertisements are found every week either offering loans or requiring

PAPER No. 7.

Answers of Robert Longfield, Esq., Q.C.

them, with notices that a Parliamentary Title would be preferred or given, though this of course is to the lender's solicitor a less profitable investment than a loan on the old system. Land is fast becoming a marketable commodity, easily transferable and largely dealt in, and this is, I conceive, a great national advantage. It will generally find owners in those best fitted to manage and retain it. Every other sort of title but a Parliamentary has grown into much disrepute. The Parliamentary conveyances are short and clear, and every man likes to understand that his title is absolutely unimpeachable. It has been ascertained too that the sole argument used against the powers of the Commissioners "that they might sell one man's estate for another man's debt," ill founded even as argument, is utterly worthless as a fact. The terror and argument are alike now exploded.

11. In your opinion, should the privilege of obtaining a Parliamentary Title be continued and made permanent?

It would be a serious injustice to creditors and owners of estates not to render permanent the power of giving a Parliamentary Title. It will be readily perceived that discontinuing the power would be attended with the following results:—The value of former Parliamentary Titles would at once be raised in the money market, and that of other estates depreciated. One would possess a considerable premium over the other, and owners and creditors would be sufferers. One class of estates would be readily marketable, the other not.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary Title by submitting his Title to a judicial investigation?

The privilege should be equally extended to creditors' suits, and suits by an incumbered owner to divest himself of his embarrassments by selling portions of his estate, just as at present in the Incumbered Estates Court. Owners have largely availed themselves of the power conferred on the Commissioners of Incumbered Estates to sell at the instance of an incumbered proprietor; and I could name many cases where such owners, by early availing themselves of this privilege, have been enabled to terminate most expensive proceedings in Chancery, and preserve for themselves a considerable portion of estates, which a few years' litigation would have frittered away.

13. Should the privilege of obtaining a Parliamentary Title be limited to lands of any particular tenure?

It might be unnecessary to extend the privilege of giving a Parliamentary Title further than by the amended Acts is now vested in the Incumbered Estates Commissioners, viz.: Estates in fee or fee farm, and other interests classed in sections 16 and 17 of the first Act, and a contingent power in cases falling under section 2 of the Act of 1853; but I would rather be in favour of conferring the power as to estates of every kind, and on sales by the Courts of Chancery, of Bankruptcy, or Insolvency, assimilating them to sales in market overt of personal chattels.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

I am confident that if the powers of the Incumbered Estates Commissioners were transferred to the Masters in Chancery, they would be unable to perform the duties of the Commissioners in addition to their other business. It seems to me that the Masters generally have as much business as they can efficiently and expeditiously discharge. There is every probability of a yearly increase in their ordinary business as the prosperity of the country revives and improves, and I have very little doubt that the business of any one of the Commissioners, divided amongst the present Masters, would bring them in all the offices to a stand. It would be the most burthensome addition which could be made to the Masters' present duties. The mere reading of the abstracts of title and directing searches, now performed by each Commissioner personally, is, I conceive, the most arduous and fatiguing labour which can be performed by a Judge. Every barrister could state that of all his business the most laborious and tedious, that requiring most care and involving the heaviest responsibility, is advising on titles. A very short title will require the labour of two, four, or more nights. The Commissioners are indeed a little assisted by their examiners noting the abstract, and at times by counsel's opinion, but the abstracts are always read by them carefully, their opinion formed on it, and judgment and registry searches directed personally. This one portion of their labour is so very great that I am sure it alone would, in addition to their other duties entirely overburden the Masters, and without this duty being performed by the Judge himself, it would be wrong to allow the Court or Master, or any Court, to give a Parliamentary Title. The sale would not be by the Court or responsible Judge, but by interested parties, by counsel and solicitors, creditors and suitors. Besides, the Masters would have both to learn a new system, very different from the old, and to forget the old, and experience will, I believe, tell that this double task is not an easy one. The Masters are zealous and painstaking officers, and I would not in the least be understood as depreciating their labours. One or two of them may have comparatively lighter duties at present than the others, but that accidental circumstance will probably soon be altered, and each year will add to the general business of Chancery, and increase sufficiently the Masters' duties. This answer must of course be taken in connexion with that I have already given to question 7.

15. What would you suggest as to the right of appealing from the Masters' orders in case the duties of the Commissioners were transferred to them?

I have before stated that one of the principal facts which contributed to the successful

working of the Commissioners of Incumbered Estates was the mode of appeal, first to the full Court of Commissioners, and then to the Privy Council. If the duties of the Commissioners are transferred to the Masters a similar system of appeal should be established. An appeal should always be from an individual Judge to a tribunal consisting of several. An appeal from one Judge to another is seldom satisfactory, and there is virtually no appeal from the Chancellor. The Court of Appeal, which might sit weekly in the Nisi Prius Court, could be made a most valuable one by constituting it nearly as follows:—the Chancellor presiding in all appeals, the Ex-Chancellor, Master of the Rolls, Senior Master, three Chief Judges, and Real Estate Court Master—four to form a quorum. All appeals from the decision of any of the branches of the Court of Equity should be first to this tribunal. I apprehend that the Chancery Appeal Court in England has been found most beneficial, and from a lengthened acquaintance with the feelings of suitors and of the legal profession in Ireland, I can state that the want of a good Equity Appeal Court, which might dispense with the necessity of an appeal to the House of Lords, and substitute a satisfactory tribunal consisting of several members, instead of the graduated appeal from the Masters to the Master of the Rolls, from the latter Judge to the Chancellor, is much felt. The Judicial Committee of the Privy Council has been found to constitute an excellent appellate tribunal, and the Appeal Court I have suggested is closely analogous to it. The right of appeal generally should be limited as to time, *e.g.*, two calendar months, unless when the long vacation intervenes, and then three would be an amply sufficient limit.

16. Can you suggest to the Commissioners any other matter of importance not included in your answers to the foregoing questions, and bearing upon the subject of the Inquiry?

It may be well to remark that a mere transfer of powers from one tribunal to another has scarcely ever been a successful mode of legislation; but it may present a very desirable opportunity for remodelling a practice found defective or susceptible of improvement. The tenor of the Commission under the authority of which the queries which I have answered were framed, contemplates annexing to Chancery the powers of the Commissioners of Incumbered Estates, and perhaps of bringing summarily under the 15th section all cases now subject to the Commissioners' jurisdiction. This alone would be unsatisfactory, and I have little doubt would in the end prove a most imperfect machinery for the sale of estates. The general procedure of the Court of Chancery and the jurisdiction of its members require extensive alteration and improvement. Solicitors can now practice without the aid of counsel (and do so) in the Incumbered Estates Court, and within the few years that Court has been in operation a marked improvement has taken place in the general knowledge of real property possessed by the Solicitors practising there, and in their style of conducting business. They cannot be heard in the Masters' office in the mere formal proceedings, under the 15th section. This should be remedied. Such a monopoly is injurious to the best interests of the Bar, as it is prejudicial to suitors. The ordinary proceedings to sell an incumbered estate are purely routine. An analysis of the petitions, decretal orders, &c., in such cases, would show that they have no essential difference; so as to the charges and claims. It is all routine. There should therefore be framed and circulated petitions, decretal orders, (rather conditional orders for sale,) claims, schedules of incumbrances, and a solicitor of common intelligence could fill these up correctly, or with only occasional assistance in peculiarly difficult cases from Counsel. The Masters should have *original*, and not delegated jurisdiction, and have the rank and be styled Equity Judges. The Chancellor and Master of the Rolls should equally hear causes and minor and lunacy matters, &c. The three Junior Masters for the time being should be the Commissioners for selling estates. A large court to sell estates in, and for hearing appeals, with competent offices should be erected. Above all, public triennial returns of the state of business, suits pending, sales, &c., should be rigidly enforced and published. Without these, or extensive alterations and improvements such as I have suggested, and a strict superintendence and public control kept over the progress of improvement in the Court of Chancery, the improvement which already has been effected in the working of the Court will be neutralized. From many sources I have been informed that the English Chancery reform is already somewhat obstructed. Suits in that Court seem returning to their primitive state of expense and delay. The general principles of Lord St. Leonards' Chancery Reform Bill deserve much attention, and might, with such modifications as the working of the system has suggested, be applied in Ireland.

Robert Longfield.

Answers of Charles Rolleston, Esq., Q.C., to Questions in Paper No. 7.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

In my opinion, and according to my experience, the course of practice and procedure adopted in the Incumbered Estates Court has worked very well; and I am sure no statute, so comprehensive in its object, and introducing such startling novelties into the system of legal and equity proceedings, ever passed which presented fewer difficulties of construction.

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

I think there are some things requiring remedy—though one can scarcely call them defects or imperfections in the practice—and I will state them and suggest remedies. Though one of the objects of the statute is to sell and distribute the funds with as much speed as is consistent with justice and right, yet several cases have undoubtedly been a

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Answers of Charles Rolleston, Esq., Q.C.

long time in Court; and parties desirous of postponing sales, or decisions against them, often show cause against conditional orders for sale or appeal from a single Commissioner to the full Court, which, sitting as it does but two days in each week, and from unavoidable causes not even able to do that with regularity, and being often obliged to postpone cases involving serious questions from the difficulty of getting up counsel, owing to the situation of the Court, cannot dispose of its motions as speedily as is often necessary, and always desirable. It is not easy to meet this evil; but although the decisions of the full Court give most general satisfaction, still I would do away with it, and for its substitute refer to my answer to the next query. Another matter which requires remedy, in my opinion, is the mode of giving notice to tenants. I know many cases of hardship have arisen from parties having actually lost valuable interests in land by not being served with notice or being otherwise informed of the proceedings to sell, as bearing on their interests: and I have had many cases before me exemplifying this: for instance, middlemen holding valuable interests under the owner by leases, and their tenants being the occupiers, the latter are the persons served with the notice and returned on the rental, and after the sale the middle interest is gone, as the occupier has too often a direct interest in not letting his immediate landlord know any thing of the notice. In cases where there is a Receiver acting on a rental, or where an owner is the petitioner, whose rental attached to the petition is therefore likely to be quite correct, this evil may not arise; but in all other cases it may; and in the latter class of cases I would suggest that some one better qualified to ascertain tenancies and explain the notices than a common process-server or bailiff should be employed for that purpose by the solicitor, who should then be answerable to the Court for the truth of the rental; or, perhaps, some stringent rule should be made to compel the owners to return true rentals, and the Court could act on them. A third evil arises from the power that exists in any creditor, to however small an amount, and however low in point of priority, of presenting a petition to sell any estate, however large, of the most complicated title, by a solicitor, who knows nothing of the lands, the rental, or the title, or where a single title-deed is or can be procured, or copies of them. This naturally causes imperfect abstracts, mistakes in rentals, and often a year's delay in looking for deeds, and expense of taking out memorials, otherwise unnecessary; and I need hardly say the registry affords little help in showing the trusts of a deed to a sufficient certainty. To remedy this I would make a rule, that any owner or other creditor who, on being served with the conditional order for sale, or without being so served, brought into the office within the time limited for showing cause (or such further time as the rule should specify), a full and satisfactory rental and abstract of title on which the Commissioner could at once act, verified by his solicitor and himself, together with all deeds and leases in his possession, or full and accurate information where they are—should have the carriage of the sale and his costs, whatever be the result.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion would be calculated to improve the system?

I do not understand why one Commissioner should have a different title and salary from the other two, with just the same duties and labour. In my opinion this very important Court, if continued, should, like all other courts, have a head, but I would restrict his duties to fiating all petitions, hearing all appeals, and disposing of what are now called full-court motions; this would give the other Commissioners two days a week more for chamber business each, which would be more than an equivalent for withdrawing chamber business from the chief Commissioner, expedite the business very much by accelerating what are called full-court motions, and enable the chief Commissioner, if a member of any other Court, to give more time to its duties than he now could; and in this case I would leave the appellate jurisdiction from the chief Commissioner just as it is at present, except that I would advise that the ultimate Appellate Court should have the power of awarding costs.

4. What are the peculiar circumstances in the constitution of the Court, or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

That the same persons by whom the first step is directed in any matter, carry it out all through—the cheapness of the proceedings—the certainty of sales without opening biddings—the parliamentary title conferred on a purchaser—that the solicitor having the carriage is sure of his costs when he finishes his case.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

The entire of it, except with such changes as I suggest in my answers to the second and fifteenth queries; and if the new business is thrown on the present Masters in Chancery, the whole will come to a stand still.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court?

Certainly not as effectual; and if I am to answer the question as to the relative speed—assuming the two petitions to be the only ones in each Court, not as prompt; of course the promptitude depends on the other business of the Court, which, according to its extent and nature, more or less accelerates or delays the proceedings in any one matter in either Court.

7. If the Court of Chancery had power to give a parliamentary title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

I think not as cheaply, under its present system, and, as stated in my answer to the 6th section, may be more or less prompt according to circumstances.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

I certainly do. I am of opinion that any possible clog to the free transfer of land or property should be done away; and certainly that the exemptions in this query should be continued in the Court of Chancery.

9. Can you estimate the comparative expenses at present of a sale in Chancery, under the 15th section, and a sale in the Incumbered Estates Court, and what causes the difference in expense?

I cannot; but of this I am sure, from bills of costs which have come before me in both, that the sale in the Incumbered Estates Court is cheaper, except, perhaps, in the case of one creditor, one respondent, and one tenant on the land sold.

10. What, according to your experience, have been the practical results of giving a parliamentary title?

I think the Parliamentary title one of the greatest benefits of the Act, and the first beneficial result is, that it certainly adds, and has added, to the value of the thing sold, and increased the purchase money. It also gives a security to a purchaser, which, even under Chancery sales he never had before, and facilitates the future transfer of property both in time and expense, the value of the former being often incalculable to a seller, and the latter a clear gain to both seller and buyer.

11. In your opinion, should the privilege of obtaining a Parliamentary title be continued and made permanent?

Undoubtedly; I consider it a benefit both to the individuals selling and buying, and to the country generally.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

I think the privilege should not be confined to incumbered estates; and as a proprietor of an unincumbered estate can now indirectly, by creating a charge, obtain and give a Parliamentary title, I would allow him to do so directly.

13. Should the privilege of obtaining a Parliamentary title be limited to lands of any particular tenure?

I think not; the less the estate is in value the more benefit its owner or purchaser will have, comparatively, by a Parliamentary title, if again disposing of it.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

I should say it would be impossible. I have known what would form the materials for five equity suits and more often decided on the settling of one schedule.

15. What would you suggest as to the right of appealing from the Master's orders in case the duties of the Commissioners were transferred to them?

I would leave the Privy Council the ultimate appeal, as now, and one appellate jurisdiction between the Master and it; and I would give that to the Master of the Rolls, as the Chancellor would sit in the Privy Council.

16. Can you suggest to the Commissioners any other matter of importance not included in your answers to the foregoing questions, and bearing upon the subject of the Inquiry?

None, except the vast importance and advantage to suitors, my own profession, the solicitor's profession, and the public generally, to remove the Court of Incumbered Estates down to the Four Courts. I have heard solicitors complain that the affidavits filed in the offices are not made up in books and indexed at the end of the year, as in Chancery, which would expedite every one searching for an affidavit considerably; but as similar queries to those I have answered have been submitted to solicitors and others, they can best speak of such inconveniences if they exist. In conclusion, I cannot help saying, that in my opinion it will be very difficult to amalgamate the Incumbered Estates Court and its practice with the Court of Chancery and its practice, without losing many of the benefits of the former Court, and gaining for it not a single advantage. And as there must be additional Masters, many additional hands employed, and great confusion arising from the mixture of two systems essentially different in their nature, details, and objects, I have no doubt that it would be more economical to the Government, more satisfactory to all classes, and more beneficial to the country, that the Incumbered Estates Court should be a separate jurisdiction, if it is permitted to exist at all.

Charles Rolleston.

Answers of B. C. Lloyd, Esq., Q.C., to Questions in Paper No. 7.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

According to my experience, except for the precipitancy of the sales in the early period of the Commission, I think the course of practice and procedure adopted by the Incumbered

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Answers of B. C. Lloyd, Esq., Q.C.

Estates Court has, on the whole, worked well; but, the proceedings being in a great measure *ex parte* until the final schedule comes to be adjudicated upon, the system is not, in my mind, so well adapted for the investigation of disputed questions of fact, or the decision of difficult and complicated questions of law. I consider the practice adopted by the Masters in Chancery, under the 15th section of the Chancery Act, to be more satisfactory, which is this: when a petition is brought into the Master's office, it is usually directed to stand as a charge; the parties then attend before the Master, and if there are questions of fact to be investigated, or questions of law to be decided, the Master gives directions as to the most convenient course for having the former put in a proper course for investigation, and the latter properly raised for his decision. And when all the matters are adjudicated upon by the Master, his decisions are embodied in one order, which remains for the inspection of all parties for a certain time, in order that any person who considers himself aggrieved, may take the opinion of the Court of Appeal. Whereas, in the Incumbered Estates Court, the parties meet for the first time upon the occasion of ruling the schedule, which rulings are frequently accompanied by orders for payments made at the time. I think this system has had the effect of taking parties too much by surprise, either from not being sufficiently acquainted with the case they have to meet, or with the effect of the rulings made as to the claims of other persons. I would suggest that the creditors upon the schedule should have the privilege of examining the abstract of title lodged with the Commissioners, and that the rulings, when made, should be embodied in one order, to remain for the inspection of all parties, and not to be acted upon for a short time, to be fixed by the Court.

4. What are the peculiar circumstances in the constitution of the Court or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

The peculiar circumstances in the constitution of the Incumbered Estates Court and its procedure which, in my opinion, have mainly contributed to its success, are: 1st, the practice of selling the estate in the first instance, and transferring the litigation from the land to the fund in Court; 2nd—and the principal one—the practice of compelling the same judge, before whom the proceeding has originated, to bring it to its final determination, subject only to the right of appeal. No one who has not had the opportunity of practical experience, can appreciate the delay, expense, and miscarriage, consequent upon the system of one judge communicating with another, through the medium of orders drawn in a technical form, and reports to be made in pursuance of such orders. I have known matters settled in half an hour in procedures on petition, under the 15th section of the recent Chancery Act, which would have taken many months to be disposed of under the system of references and reports.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, I should think a great deal of the practice of the former Court could be introduced into Chancery. 1st. I think any tenant for life, or remainderman, should have power to petition for sale of the estate for a debt affecting the inheritance as well as a creditor. 2nd. I think the sale should be made at an early stage of the case, and the litigation transferred to the fund in Court—at all events, in those cases where the estate is incumbered to half its value, and a form of conveyance, authenticated under the hand and seal of the Judge, who makes the decree for a sale, should be sufficient. 3rd. That the same Judge or Master before whom the proceedings originate, should have the disposition of the whole cause, subject only to the right of appeal. 4th. That some modification of the schedule system should be adopted. 5th. That the Judge or Master who rules upon the claim should also have power to make orders for payment and distribution of the fund, as well as every other order necessary to bring the cause to a termination. At present, the Masters who, under the 15th section of the Chancery Act, are empowered to adjudicate upon the merits of the whole cause coming under that section, are not permitted to distribute the fund, or even to make an order for the substitution of service in the case of a party out of the jurisdiction, which is often a mere matter of course.

6. Is the proceeding for sale of an estate in Chancery, under the 15th Section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court.

7. If the Court of Chancery had power to give a parliamentary title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery.

9. Can you estimate the comparative expenses at present of a sale in Chancery, under the 15th section and a sale in the Incumbered Estates Court, and what causes the difference in expense?

I think the proceeding for sale of an estate in Chancery, under the 15th section, is quite as prompt, and if a parliamentary title were given, would be quite as effectual a proceeding as a petition in the Incumbered Estates Court. I know of one case in which, although accounts had to be taken of real and personal estate, the purchaser was put into possession in four months after the petition was presented, the parties having consented to an immediate sale. I have annexed to this paper a statement furnished to me by Mr. Smith, Master Brooke's Examiner, which will show the number of petitions referred to Master

Brooke, under the 15th section of the Chancery Act, as well as those in which a sale was prayed and afterwards decreed; and considering that most of these involved the taking of accounts of real and personal estates, and the administration of assets, I believe it will be found to verify what I have stated. I think also that if there were an exemption from fees and stamps, the proceedings in the Court of Chancery would be quite as cheap, if not more so, than those of the Incumbered Estates Court, and that any difference in favour of the latter is owing to the exemption from those duties. The exemption from fees and stamps is considered a great boon by the solicitors practising in the Incumbered Estates Court, and, if possible, there should be the same exemption to proceedings in Chancery.

10. What, according to your experience, have been the practical results of giving a Parliamentary title.

11. In your opinion, should the privilege of obtaining a parliamentary title be continued and made permanent?

According to my experience the practical result of giving a parliamentary title has been beneficial, and should be continued and made permanent in the case of all sales made under a decree of the Court. I think the dangers arising from it have been exaggerated, and would be greatly counteracted, if the title were previously examined and investigated by competent persons, appointed for that purpose, as is done by the Incumbered Estates Commissioners. If there were circumstances of suspicion, I think the Court should have the power to withhold a parliamentary title. And even if there were rights of third persons, with which the Court might find itself incompetent to deal, such rights might be saved in the deed of conveyance, as is done in private acts of parliament; but in other respects, in cases of sales under the Courts, the title should be warranted. It is unfair, I think, to invite the public to become purchasers under the Court, and not to guarantee the possession of that which is sold. At all events, the purchaser should be apprized of the nature of the risk he is to run. The giving of a Parliamentary title would have the effect of insuring a higher price for the estate, and would tend greatly to facilitate the transfer of land, which is so much to be desired.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

I feel myself unable to answer this question. I suggested in an answer to a similar question of the Registration Commission sitting in London, that if there were competent persons appointed to investigate titles, persons submitting to such investigation, after placing the deed upon the registry, and giving notice of it as required, might after a certain period, if the title be not impeached in the meantime, be permitted to acquire a warranted title, having somewhat the effect, which a fine, with proclamations, formerly had. But all this would require great care.

13. Should the privilege of obtaining a parliamentary title be limited to lands of any particular tenure?

The privilege of obtaining an unqualified Parliamentary title, should, I think, be confined to estates in fee; but in respect to leasehold interests, the title should only be warranted as against the lessee, and those deriving under him, but not as against the lessor. I believe the Incumbered Estates Court acts upon this principle.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

I think the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Court, if the system of references and reports were discontinued.

15. What would you suggest as to the right of appealing from the Master's orders in case the duties of the Commissioners were transferred to them?

In case of an appeal from the Master's orders, I would like to see an Appellate Court constituted like that of the Lords Justices in England, consisting of the Lord Chancellor and two other judges. An appeal from one judge to another single judge is not, at least under ordinary circumstances, satisfactory.

16. Can you suggest to the Commissioners any other matter of importance not included in your answers to the foregoing questions, and bearing upon the subject of the Inquiry?

The only other observation occurring to my mind is with regard to the registry, and its bearing upon the investigation of titles. I think the system might be improved, and searches facilitated, that every thing which is to affect a purchaser should be put upon the registry, and that the registry should be made *actual notice* to all the world. But this subject is hardly within the scope of the present inquiry so as to warrant further observations.

B. C. Lloyd.

PAPER No. 7.

Statement showing the Number of Petitions, &c.

STATEMENT, showing number of Petitions referred to Master Brooke under the Court of Chancery (Ireland) Regulation Act, sec. 15, from August 14th, 1850 (date of Act), to August 14th, 1854; and the number of orders made thereon, distinguishing interlocutory from final orders.

Period.	No. of Petitions referred.	No. of Orders made Interlocutory.	No. of Orders Final.	Total.
August 14th, 1850, to August 14th, 1851, . .	49	47	17	64
,, 1851, ,, 1852, . .	95	74	30	104
,, 1852, ,, 1853, . .	108	112	66	178
,, 1853, ,, 1854, . .	62	138	40	178
Total, ...	314	371	153	524

Dates and particulars of Sales, &c.

Dates and particulars of Sales in Master Brooke's office, under said Act, sec. 15, from 14th August, 1850, to 31st December, 1854.

Title of Matter.	Date when Petition lodged for the Chancellor.	Date of Order of Reference.	Date when Order lodged in Master's office.	Date of Master's Order for sale.	Date of Sale.	Total Time. Mths.	Days
1 Darley *v.* Darley, .	Dec. 4, 1851	Dec. 6, 1851	Dec. 30, 1851	Feb. 7, 1852	Apr. 7, 1852	4	3
2 Burrowes *v.* Colthurst, .	May 14, 1851	June 14, 1851	June 27, 1851	Dec. 17, 1851	July 1, 1852	13	6
3 Saunderson *v.* Grant, .	Nov. 12, 1850	Dec. 7, 1850	Dec. 20, 1850	May 7, 1851	Aug. 10, 1852	20	29
4 Crosthwaite *v.* Roughan,	Jan. 2, 1851	Jan. 21, 1851	Jan. 24, 1851	July 18, 1851	May 7, 1853	28	5
5 Moore *v.* Wilson, .	Nov. 19, 1851	Dec 4, 1851	Jan. 9, 1852	Feb. 21, 1853	June 24, 1853	19	5
6 Milmer *v.* Lawder, .	Nov. 17, 1852	Dec. 7, 1852	Dec. 17, 1852	Jan 20, 1853	July 20, 1853	8	3
7 Connell *v.* Connell, .	Mar. 2, 1852	May 12, 1852	June 2, 1852	Nov. 3, 1852	Oct. 20, 1853	19	18
8 Dempsey *v.* Dowdall, .	June 2, 1852	June 18, 1852	June 30, 1852	Nov. 8, 1852	Nov. 5, 1853	17	3
9 Blakeney *v.* Doyle, .	June 16, 1852	June 18, 1852	July 17, 1852	Jan. 20, 1853	Nov. 7, 1853	16	22
10 Low *v.* O'Donnell, .	Feb. 24, 1852	May 12, 1852	Nov. 19, 1852	Feb. 12, 1853	Dec. 22, 1853	21	28
11 O'Flaherty *v.* Killery, .	Dec. 23, 1851	Jan. 22, 1852	Jan. 26, 1852	Feb. 26, 1853	Jan. 11, 1854	24	19
12 Geoghegan *v.* Reilly, .	May 15, 1851	May 12, 1852	June 2, 1852	May 10, 1853	Jan. 25, 1854	32	9
13 Dyer *v.* Bessonet, .	Mar. 27, 1852	May 12, 1852	May 22, 1852	Aug. 9, 1853	Apr. 20, 1854	24	24
14 Murray *v.* Duohurst, .	May 10, 1853	May 14, 1853	May 20, 1853	July 2, 1853	Nov. 6, 1854	17	26
15 Murlay *v.* Waller, .	May 5, 1851	May 17, 1851	May 22, 1851	Jan. 19, 1853	Nov. 9, 1854	42	4
16 M'Neill *v.* Hamill, .	Apr. 20, 1853	May 7, 1853	June 15, 1853	Feb. 13, 1854	Nov. 10, 1854	18	20
17 Butler *v.* Burke, .	Dec. 18, 1852	Jan. 15, 1853	Jan. 22, 1853	Mar. 10, 1853	Nov. 11, 1854	23	4
18 Miller *v.* Doherty, .	Nov. 26, 1851	June 18, 1852	July 6, 1852	Nov. 3, 1852	Nov. 11, 1854	35	15

Answers of Edmund Hayes, Esq., Q.C.

ANSWERS of EDMUND HAYES, Esq., Q.C., to Questions in Paper No. 7.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

I am of opinion that, upon the whole, the course of practice and procedure adopted in the Incumbered Estates Court has worked very well.

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

I do not profess to be particularly acquainted with the details of official practice in the Court; I would, however, beg to mention the following matters:—

1st. In my opinion, the sales of the Court ought to be conducted by a licensed auctioneer, and not in the presence of a Commissioner—a circumstance which may tend, I think, to damp biddings; they should be held, also, in some place of general public resort.

2nd. As a general rule, no conveyance should be executed without a map being affixed to it, and that a duplicate of this map should be preserved in Court, for the purposes of future evidence.

3rd. I think an improved system of checks should be adopted, with respect to the payment of money out of Court. I may refer to the case of *Keogh's Estate*, lately before the Privy Council, in which I was counsel, and which has suggested this observation to me.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

I think money should not be paid out of Court, save upon the express order of a Commissioner, made upon notice to all parties; and that in the order should be specified, not only the name of the payee, but the character in which he is to receive it.

I would call attention to the 28th section of the 12 & 13 Vic., c. 77, by which it is provided that the conveyance of the Commissioners shall not prejudice or affect any right of common, or any right of way, or other easement, on the land conveyed. The result of this is, that a person purchasing land, in the hope of getting a *clear* fee-simple, may find it so *covered* with easements as to make his purchase far from a desirable one. I do not see why the land should not be sold discharged of an easement, as well as of a tenancy, after due notice to all claimants: this notice might be given by advertisement in the *Gazette*, and by posting at the neighbouring police stations, &c.

4. What are the peculiar circumstances in the constitution of the Court or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

The circumstances which, in my opinion, have mainly conduced to the successful operation of the Court are—

1st. The power to give what has been called a Parliamentary title.

2nd. The power of selling promptly, and so soon as it has been shown that there is a good cause of sale, an estate which the Court has jurisdiction to sell.

3rd. The energy, diligence, and ability displayed by the Commissioners in carrying out the intentions of the Legislature, added to a uniform willingness to give every assistance to the solicitors and suitors who have occasion to apply to them.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

I think the power of giving a Parliamentary title ought to be conferred on the Court of Chancery. It would be convenient, also, that the petition in Chancery, praying a sale for discharge of an incumbrance, should have annexed to it, as in the Incumbered Estates Court, a schedule of all incumbrances affecting the land to be sold. But I think it would be time enough for the Court to direct a sale after the defendant's answer had come in, and the cause had been set down for hearing.

The practice of the Incumbered Estates Court, as to not opening biddings at the instance of persons desiring to purchase, should, by all means, be introduced into Chancery. I would also suggest, that if the practice of having sales conducted by a licensed auctioneer, in a public sale-room, and not before a Master, should be adopted (as I think it ought), it would be well to institute a practice, that the result of the sale should, within a limited time, be brought before the Master, upon notice to all parties; and if he approved of the sale, as to the mode in which it had been conducted, and the price which had been obtained, then that it should be absolutely confirmed.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court?

I have not had so much experience as enables me to answer this question satisfactorily.

7. If the Court of Chancery had power to give a Parliamentary title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

I see nothing in the constitution of the Court of Chancery which leads me to think they could not.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

I do not think that an absolute exemption from fees and stamps would be necessary. While, on the one hand, it is not to be expected that a court of justice should be supported by the fees exacted from the suitors, so, on the other hand, it is not desirable that litigants should be wholly exempt from such imposts. In my judgment, all that is required is, that they should be moderate.

9. Can you estimate the comparative expenses at present of a sale in Chancery, under the 15th section, and a sale in the Incumbered Estates Court, and what causes the difference in expense?

I cannot answer this query.

10. What, according to your experience, have been the practical results of giving a Parliamentary title?

The practical results of giving a Parliamentary title in the Incumbered Estates Court has been—

1st. That when a decree for a sale has been pronounced in Chancery, the business of the sale is transferred to the Incumbered Estates Court.

2nd. Persons who would not otherwise resort to the Court, have brought their estates to a sale, for the purpose of facilitating a transaction with a proposed lender, on the security of such estates.

11. In your opinion, should the privilege of obtaining a Parliamentary title be continued and made permanent.

Undoubtedly, I am of that opinion.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

In my opinion, the privilege ought not to be confined to incumbered estates. The plain result of such a privilege is to increase the selling value of an estate. I do not see why that benefit should be conceded to one whose follies or misfortunes have forced him into Court, and be denied to him who, by a course of prudent management on the part of himself and his ancestors, has faithfully discharged all the duties he owed to society.

13. Should the privilege of obtaining a Parliamentary title be limited to lands of any particular tenure?

I see no reason for doing so; but when land is held for a life, or a short term of years, and the Court sees that a sale would be detrimental to the interest of puisne creditors, without any very important advantage to the prior creditors, the Court should be invested with a discretion to refuse a sale, and leave the rents to be received by a receiver.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

I think additional Masters (two at least) would be requisite.

15. What would you suggest as to the right of appealing from the Masters' orders in case the duties of the Commissioners were transferred to them?

Paper No. 7.

Answers of Edmund Hayes, Esq., Q.C.

It appears to me, that an appeal ought to be given to the Master of the Rolls, and from him to the Lord Chancellor, against any ruling of a Master, by which the rank or amount of an incumbrance should be affected. A deposit should be required, to deter a party from dilatory or frivolous appeals.

EDMUND HAYES.

Answers of P. J. Blake, Esq., Q.C.

ANSWERS of P. J. BLAKE, Esq., Q.C., to Questions in Paper No. 7.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

Considering this question as intended to apply simply to the routine of business, I think the course of practice and procedure has latterly, as a general rule, worked well. The regulation that the costs should be the first charge on the funds occasioned many great evils. No doubt it made certain that the Act should not have the fate of its precursor, which was intended to be worked out by the Court of Chancery, and it secured the Court against the possibility of its proving a failure; but these advantages were more than balanced by the excessive temptations to present petitions on behalf of puisne creditors, whose charges were hopeless, and on behalf of nominal owners, for whom no residue could possibly exist. Since the Court got into full operation, the mischief of the rule seems to have been so manifest that the Legislature removed the temptation, and the costs are not now of necessity the first charge.

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

The chief defect, in my mind, is too great laxity in the mode of ascertaining the rights and priorities of parties to the purchase money, and in the distribution and payment of it. This I attribute to the idea which I know some persons officially connected with the Court entertain, that the primary object of the Legislature was to transfer the land from incumbered to unincumbered owners, and that the distribution of the funds was, as compared with that object, of minor importance.

I think the practice of having a final schedule most excellent; but no alteration in it should, on any account, be made, unless based on objections in writing, previously lodged, which should not alone state the nature of the objections, but should also shortly state the grounds of them, and the legal questions intended to be raised; this I think necessary by reason of the absence of all pleading in the Court. A. B. simply stating that he objects, because his claim is No. 9 on the schedule instead of No. 3, tells nothing; and where any serious controversy has arisen, I do not think, in my experience of the Court, I saw many cases in which the settlement of the final schedule in chamber, *before the Commissioner having the conduct of the matter*, was not, at all events on one side, and frequently on both sides, unsatisfactory. I have heard several of my own profession and several solicitors complain of this. Before the full Court, the questions and facts being known, the investigation is in general satisfactory.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

In addition to the observations in my reply to No. 2, I think a limit should be put to the system of surveying and advertising. One of the most eminent solicitors, and one having extensive business in the Incumbered Estates Court, told me that the rule as to the costs, and the system of surveying and advertising, were most mischievous, and tended to establish a low moral tone in that Court. He expressed this in words more emphatic than I think it necessary to repeat. I have been assured that, in general, a large per centage, by way of douceur, is paid on the charges for advertisements and surveys. Practically this comes out of the fund, and such a system of dealing with the funds I consider most mischievous.

4. What are the peculiar circumstances in the constitution of the Court, or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

The temptation of the costs as stated in No. 1; the statutable title to the purchaser; the rapidity with which business was despatched before the Court got clogged; the utter impossibility of ever bringing old causes in Chancery to an end; the smallness of the outlay for stamps, &c.; and, lastly, the facility of communication with the Commissioners and officers, their civil, unceremonious, and businesslike habits, and untiring perseverance.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

I think that the sale should be effected without waiting for the accounts of debts, &c. I think the proceeding by final schedule, with some modification, far preferable to the system of charge and discharge.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court?

When the Incumbered Estates Court had but little business to discharge, I believe sales could be had more promptly in it; but now that a great arrear of business has accumulated, I believe sales could be had as promptly in Chancery, unless questions should arise on the title; but until the statutable title is conferred by the Court of Chancery, sales in it never can, in my mind, be as effectual as in the Incumbered Estates Court.

7. If the Court of Chancery had power to give a Parliamentary title, do you think

Answers of P. J. Blake, Esq., Q.C.

that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

I cannot offer an opinion as to the cheapness, further than that I have heard the expenses of surveys and advertisements are extravagant. If the Court of Chancery were at liberty to give a statutable title, and to sell before the account of incumbrances was taken, I consider sales could be had in Chancery quite as promptly as in the Incumbered Estates Court.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

I consider it would be most desirable.

9. Can you estimate the comparative expenses at present of a sale in Chancery, under the 15th section, and a sale in the Incumbered Estates Court, and what causes the difference in expense?

I cannot.

10. What, according to your experience, have been the practical results of giving a Parliamentary title?

Most beneficial. It lessened the expense of sales, prevented delays, by rendering objections to title impossible, and, by giving a new root, induced purchasers to give increased prices.

11. In your opinion, should the privilege of obtaining a Parliamentary title be continued and made permanent?

Most unquestionably. I cannot understand why a court of justice, with all its machinery to provide against fraud, should not be a "market overt" for the sale of land.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

I do not think it desirable that, by an act of the Legislature, any Court should be made a piece of conveyancing machinery. It is one of the duties of all judicial systems to afford the means to a creditor of recovering his just debts. As ancillary to that object, I think a statutable title should be given; but I do not think the privilege should be extended to unincumbered estates. I should apprehend that great frauds would be perpetrated if unincumbered estates could be sold and statutable titles given. In cases of incumbered estates the number of persons interested in the property would make it improbable, if proper precautions be taken, that frauds could be effected.

13. Should the privilege of obtaining a Parliamentary title be limited to lands of any particular tenure?

I think not, save where the interest is for a very short period, so as not to bear the expense.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

I cannot give a decided answer to this query. I doubt that they could.

15. What would you suggest as to the right of appealing from the Masters' orders in case the duties of the Commissioners were transferred to them?

I think it quite necessary there should be such an appeal.

16. Can you suggest to the Commissioners any other matter of importance not included in your answers to the foregoing questions, and bearing upon the subject of the inquiry?

Valuations by surveyors should be wholly dispensed with. They afford opportunities, *which, I have been assured, have not been overlooked,* of effecting frauds. It may often occur that the party, whether owner or creditor, having the conduct of the proceedings has an interest either to exaggerate or depreciate the true value of the land, or some particular lots. The Ordnance and Poor-law Valuation ought to suffice. Hitherto the Incumbered Estates Court has been looked upon more as an exceptional tribunal than as part of the established and permanent judicial system of the country—more in the nature of a court of claims, to regulate matters regarding the land, than as a court to administer rights between debtors and creditors. No doubt the latter duty has been, to a certain extent, discharged of necessity, but only as incidental to the former. If it be intended to make the Court permanent, the rights of creditors, especially puisne creditors, should be attended to more carefully than heretofore. If it be plain that there will be a surplus after paying all incumbrances, the owner should have the conduct of the proceedings; and if it be plain that the fund will be deficient, the creditor who on the schedule of debts annexed to the petition appears likely to be the last paid, should have the conduct of the proceedings. These rules should be almost inflexible, no matter by whom the petition has been presented. Instances have occurred, I have been assured, where the non-observance of them led to great evils. There is one well-known case, where an owner, in the name of a trustee, or family creditor, had the conduct of the proceedings: the house, demesne, and extensive woods, were sold in one lot, valued at about £1,400 per annum; and the owner bought back the estate at a great undervalue, he having the command of the early incumbrances, which were mostly family charges, and for which he got absolute credit. Thus, the machinery of the Incumbered Estates Court was put in motion simply to diminish the burthens on the estate in the hands of the still incumbered owner, and to tail off creditors to the amount of some £20,000.

P. J. BLAKE.

PAPER No. 7.

ANSWERS of ALEXANDER NORMAN, Esq., to Questions in Paper No. 7.

Answers of Alex. Norman, Esq.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

In my opinion the practice and procedure of the Court has worked well; there is some inconvenience experienced from delay in the returning the abstracts of title.

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

I think there is some defect in the mode of discussing objections to the final schedule, from there being no counterstatement to the objection. I would advise that an affidavit should be filed in answer to the objection, and that a copy of such affidavit should be served on the objecting party two clear days before the meeting.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

I cannot.

4. What are the peculiar circumstances in the constitution of the Court or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

They are many; amongst others,—Parliamentary title; speedy transfer of land; the intimate knowledge the Commissioner administering the estate has of its title; the period at which the claims are adjudicated on, when the fund to discharge them is ascertained; the removal of the temptation to speculate on the costs of discussing and disproving the title; and the removal of receivers.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

I would introduce the whole of the practice, save as in my reply to the second question, subject to the suggestions of some experienced men of the other profession, as to office details, of which I am ignorant.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court?

I am of opinion it is not as prompt or effectual; the system of charge and discharge creates delay, and the proceedings in relation to a sale are not as effectual.

7. If the Court of Chancery had power to give a Parliamentary title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

I think not, under the present system and practice in Chancery; I would, in addition to giving the Parliamentary title, adopt the practice.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

In all cases of proceedings for a sale, I would adopt the scale of the Incumbered Estates Court; and in all other cases, I would considerably reduce the present scale in Chancery.

9. Can you estimate the comparative expenses at present of a sale in Chancery, under the 15th section, and a sale in the Incumbered Estates Court, and what causes the difference in expense?

I can give no opinion upon this from knowledge.

10. What, according to your experience, have been the practical results of giving a Parliamentary title?

Many answers might be given to this, but the cases of O'Beirne *v.* M'Mahon, in the Equity Exchequer; Kirkwood *v.* Lloyd, in Chancery, and Gardiner *v.* Blesinton, with all of which I was familiar, establish, to my mind, the evils of not being able to give a Parliamentary title. In the last cause an application was made for liberty to procure an Act to sell, and though the usual savings introduced into private Acts were in the Blesinton Estates Act, I have not, in all the many sales made under it, known a single title set aside.

11. In your opinion, should the privilege of obtaining a Parliamentary title be continued and made permanent?

I think it should; and the last enactment, in reference to pleading in cases of such titles, is very salutary.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

I think every proprietor should have the power of transferring a Parliamentary title on submitting same to judicial investigation.

13. Should the privilege of obtaining a Parliamentary title be limited to lands of any particular tenure?

I see no reason for confining the privilege, except in cases of disability or restraining covenants; in all others, the value of the thing to be sold would, in my opinion, be increased.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

I think if the jurisdiction were transferred, the present number of Masters must be increased by two at all events.

15. What would you suggest as to the right of appealing from the Master's orders in case the duties of the Commissioners were transferred to them?

I would give an appeal in all cases under the 15th section, and the transferred jurisdiction to the Master of the Rolls, one Common Law Judge, and one Master, in rotation; and from that to the Judicial Committee of the Privy Council.

16. Can you suggest to the Commissioners any other matter of importance not included in your answers to the foregoing questions, and bearing upon the subject of the Inquiry?

Nothing further occurs to me.

Alexander Norman.

Answers of James Rogers, Esq., to Questions in Paper No. 7.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

The course of practice and procedure in the Incumbered Estates Court has, according to my experience, worked well, with reference to the object for which that Court was mainly established. The Act under which the Court had its origin was, as it is generally understood, passed to facilitate the sale and transfer of incumbered estates, not so much with a view to the discharge of the incumbrances affecting them, as to substitute a different class of proprietary for the existing incumbered owners; and for this object, assuming no difficulty or doubt to exist in regard to the title in ownership of the estates, the course of practice and procedure has, in my opinion, worked satisfactorily; and I am not prepared to point out any defects or imperfections in that course of practice. But, in my opinion, evils do exist in the procedure relating to the ascertainment of the several charges and incumbrances affecting the estates, and which are to be paid out of its produce. The mode of ascertaining the subsisting validity of the charges, and amount due on foot of them, does not appear to me to be sufficiently scrutinizing. The only record by which these facts are ascertained, is the final schedule of incumbrances, upon which are inserted, in the first instance, all the incumbrances within the petitioner's knowledge, those which appear upon the searches made in the course of the proceedings, and those which are put forward in the shape of claims filed by parties who have been prompted to activity by the several advertisements in the public papers, or otherwise. Of those incumbrances a considerable number is generally disposed of by the observation in the final schedule—"Nothing due on foot of this charge;" but it will be obvious that there are others which ought, in truth and fact, to be included in this latter category, but to which the observation is not appended. This arises from want of information on the part of the party having the carriage of the proceedings, and from the apathy of an insolvent, or the ignorance or incapacity of an infant or absent proprietor, and other causes that may easily be imagined. In such cases it may happen that demands which have either been wholly or partially satisfied undergo little or no scrutiny, and will be paid to the prejudice of *bona fide* creditors puisne in point of priority. A check, to a certain extent, to this evil has recently been introduced, by requiring, before any money can be obtained out of the Court, an affidavit to be made, ascertaining the identity of the party named in the order for payment, and that the sum about to be paid is justly due to such party. This test, however, being applied at the very latest stage, and in the absence of all parties interested in impugning the statement, affords, after all, but a very inadequate remedy. It is therefore suggested, that such verification thereto be transposed from the last to the earliest step in the proceedings, and that the demand in respect of each incumbrance in the final schedule, whether the subject of a formal claim or not, should be verified, as is the practice in Chancery, by the oath of the party entitled, or some other person, at the discretion of the Commissioner. This would involve the necessity, as in Chancery, of some notice to the party apparently entitled to the charge, and who has not actually intervened.

4. What are the peculiar circumstances in the constitution of the Court, or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

The circumstances which, as it occurs to me, have mainly contributed to the successful operation of the Court, are:—first, the giving to a purchaser a Parliamentary title, without subjecting him to the expense and delay of any investigation in his own behalf, thus increasing the number of buyers, and materially enhancing the market value of the property; and, in the next place, the avoiding the wasteful expenditure of the fund, in taking an account of incumbrances which that fund will never reach; the latter object being accomplished by the disposing of the estate in the first instance, and only taking the accounts when the amount to be distributed has been ascertained.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

If the powers of the Incumbered Estates Court should be transposed to Chancery, some part of the practice of the former Court might, I think, be advantageously transferred, not only in regard to the important particulars just referred to, but in other minor details, as, for instance, the mode of settling the rental, and the specifying in the deed of conveyance the tenants on the estates and their tenures; the more ample power to compel the production of deeds; the confiding to a single judge the conduct and management of the same matter, from its first inception to its ultimate conclusion, a practice which has been

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Answers of James Rogers, Esq.

partially adopted in petitions in Chancery, under the 15th section of the recent Act; and the not allowing the opening of biddings.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court?

The course of procedure in the Incumbered Estates Court involves inquiries in regard to the rental of the estate to be sold, which, however proper and highly desirable, have no existence in Chancery; and such investigation involves, not unfrequently, very considerable delay. I may instance a case in my own practice, in which objections taken by a tenant in the month of December, 1850, are still undisposed of, and all proceedings towards a sale of the estate still remain suspended. But for this delay, the proceedings of the Incumbered Estates Court would appear to me more calculated to bring the matter to a speedy conclusion than the proceedings in Chancery, under the 15th section. But, considering the distribution of the fund amongst the parties properly entitled to it to form an essential portion of the suit, I doubt, for the reasons I have before mentioned, that such proceedings in the Incumbered Estates Court are as effectual as those in Chancery in regard to the point last adverted to. In illustration and corroboration of this assertion, I may observe, that practitioners desirous of selling an estate for payment of incumbrances, not unfrequently adopt the following plan:—they proceed in Chancery, under the 15th section, up to the order for sale; they then present a petition, and proceed in the Incumbered Estates Court to have the estate sold; and, finally, remit the purchase money back again to Chancery, for the purpose of distribution, or have it distributed in the Incumbered Estates Court, in pursuance of the Master's report in Chancery.

7. If the Court of Chancery had power to give a Parliamentary title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

I do not see how conferring upon the Court of Chancery the power to give a Parliamentary title would diminish expense or delay, assuming the practice in other particulars to remain unaltered. Its tendency would, as it strikes me, be rather the other way, as imposing on the Masters a greater responsibility, and, if possible, a more minute and rigid, or at least more frequent, examination of the title, before submitting the estate for sale.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

9. Can you estimate the comparative expenses at present of a sale in Chancery, under the 15th section, and a sale in the Incumbered Estates Court, and what causes the difference in expense?

It is not in my power to offer any satisfactory information to the Commissioners upon the matters mentioned in those queries.

10. What, according to your experience, have been the practical results of giving a Parliamentary title?

The practical results of giving a Parliamentary title, according to my experience, are, that the purchaser enjoys the property he has purchased in perfect and conscious security from all adverse claims, and that when he comes to deal with it for the purpose either of sale or of raising money upon it, he has many advantages beyond those possessed by an ordinary proprietor: all deduction of title, anterior to his conveyance, is dispensed with; his estate possesses in a sensible degree a higher marketable value; and those who seek for investments in landed security manifest a decided preference for property clothed with such a title; and it may be added, as a further advantage, that the evidence of the title consists of a single, short, and unambiguous document.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

13. Should the privilege of obtaining a Parliamentary title be limited to lands of any particular tenure?

Such being the results flowing from a Parliamentary title, I can have little hesitation in saying, that the benefit should be continued and made permanent, at all events as regards cases where it can be at present obtained; and I see no reason why the privilege should be limited, or denied to an unincumbered proprietor, submitting his title to a judicial investigation.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

As I think it plain that the transfer of the powers of the Incumbered Estates Court to the Court of Chancery would very considerably increase the business passing through the Masters' offices, and as their time is at present fully occupied in discharging their existing duties, they would be unable to transact the additional business which would be thus imposed upon them.

15. What would you suggest as to the right of appealing from the Masters' orders in case the duties of the Commissioners were transferred to them?

In all cases I would give an appeal from the Masters direct to the Chancellor, and thence to the House of Lords; conceiving that as questions of the most serious character, and of the most vital importance to the parties, constantly arise in the proceedings before the Incumbered Estates Court, it would be only right that the suitors should have the opportunity of having their cases decided in the most solemn manner, and ultimately by the Court of the highest appellate jurisdiction.

JAMES ROGERS.

ANSWERS of DAVID SHERLOCK, Esq., to Questions in Paper No. 7. PAPER No. 7.

Answers of David Sherlock, Esq.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

In my opinion, the practice of the Incumbered Estates Court has, generally speaking, worked well.

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

It appears to me that the expenses of rentals and valuations have been, in many instances, too great; and I think that the practice of the Court of Chancery, of selling without a valuation made for the purposes of the sale, better for the public and for the estate. I also think that the present practice of permitting purchasers to declare a trust without naming the *cestui que trust*, at the time of the sale, has led to underhand bargains, of which the purchasers, and not the creditors on the estate, have got the benefit. It appears to me, further, that a longer time than is usually allowed should be permitted to elapse between the settlement of the final schedule of incumbrances and the distribution of the funds.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

In my opinion, the Master who decides on the rights of the parties should also distribute the funds; and that the omission in this respect in the Chancery Regulation Act should be rectified.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court?

7. If the Court of Chancery had power to give a Parliamentary title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

I think the proceedings in Chancery, under the 15th section, are as prompt and effectual as the proceedings in the Incumbered Estates Court; and that if the Court of Chancery had the power to give a Parliamentary title, the sales could be had there as cheaply, and more promptly than in the Incumbered Estates Court.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possesses, should be continued in the Court of Chancery?

I think that the outlay required for fees and stamps is one of the greatest burdens of the suitors in the Court of Chancery; but I am unable to say how far it may be necessary to retain them for the purposes of revenue.

10. What, according to your experience, have been the practical results of giving a Parliamentary title?

11. In your opinion, should the privilege of obtaining a Parliamentary title be continued and made permanent?

I think the results of giving a Parliamentary title have been, and will be, most beneficial; and that the power to confer a Parliamentary title should be continued.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

13. Should the privilege of obtaining a Parliamentary title be limited to lands of any particular tenure?

I think that the privilege of a Parliamentary title should not be limited to estates incumbered, or to lands of any particular tenure.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

In my opinion, the Masters of the Court of Chancery could, if assisted by Registrars, to take down their rulings, and by imposing additional duties on their Examiners, do the business of the Incumbered Estates Court, in addition to their present business.

15. What would you suggest as to the right of appealing from the Master's orders in case the duties of the Commissioners were transferred to them?

I think the right of appeal most valuable, particularly when proceedings are conducted in a summary manner, as the parties are very often unprepared in the first instance. I think there should be, in every instance, a right of appeal from the Masters to the Master of the Rolls, and from the Master of the Rolls to the Lord Chancellor.

DAVID SHERLOCK.

ANSWERS of ROBERT R. WARREN, Esq., to Questions in Paper No. 7.

Answers of Robert R. Warren, Esq.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

I think the course of practice in the Incumbered Estates Court has generally worked well. My own experience, however, is limited, as, in consequence of the situation of the Court, it has been considered as rather of a private nature, and solicitors have chiefly reposed their confidence in a select bar. If the Court shall be continued, it ought to be removed to the Four Courts; and I am pursuaded that the suspicions which are

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Answers of Robert R. Warren, Esq.

(most unjustly) entertained by many, as well professional as private persons, would cease, and the stream of justice would flow through that Court not only pure, as it is, but clear, as it is not.

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

Some of the most important points of practice are—first, the rule of sale before the charges are ascertained; second, the distribution of the proceeds of the sale by means of a schedule of incumbrances; and third, the system of notice. 1. Seems generally beneficial; as preserving estates from the ruinous consequences of management by a court receiver; but, I think, facilities should be given to annuitants to object to the sale. Sometimes, I believe much injury is done to owners, annuitants, and puisne incumbrancers, by selling lands discharged of annuities, and throwing the annuitant upon the 3 per cent. dividends of the invested purchase money. 2. Saves the expense of the cumbrous system of prolix charges and discharges. I think the system of allocation and payment under the 27th and 32nd General Orders requires reform. Money should not be either allocated or paid upon statement, admission, or private and discretionary investigation. No sum should stand in the confirmed schedule until the title thereto was proved in public before the Commissioners; parties cannot, or ought not, to be required to file objections to a claim upon suspicion and at the peril of costs; and real objections may exist, or be dislcosed upon an attempted proof of the title, in the presence of parties interested. 3. I think the system of notice extremely objectionable; the 47th General Order should be amended by expunging the concluding paragraph, and declaring that the party entering the appearance shall have the costs thereof, with his demand, if any, and that the Commissioner may direct the costs occasioned by the entry of such appearance to be paid by the party entering the same, unless he shall be declared entitled to a demand in the matter. The present rule deters parties from entering an appearance, and reasonable costs are not allowed so as to induce solicitors to take proper care of their clients' interests. One pound is usually allowed for filing a claim, when the demand is not disputed. Is this reasonable remuneration for the following services, a mortgagee being the client?—*a*, taking instructions for claim; *b*, drafting and engrossing claim; *c*, attending to file claim; *d*, entering appearances; *e*, attending one, two, three, or more days, with deeds, &c., on the settlement of the final schedule! Every prudent incumbrancer should enter an appearance, and every incumbrancer should have with his demand, the costs which prudence obliges him to incur. In "*Curtin's Estate*" (Nov. 1854), the rights of Teresa Curtin were correctly stated in the draft of the final schedule, as her solicitor understood those rights: on the afternoon of the day before the settlement of the final schedule, an objection was filed, and moved on the next day, without any notice. It happened that the counsel and solicitor concerned on another matter for Teresa Curtin was present in the Commissioner's chamber, caught the tenor of the objection, and were able to intervene and protect her rights. But for that *accident*, Teresa Curtin would have lost £30 per annum for her life. This case shows the defects of the system of notice, and justifies the observation that a time for filing objections should be fixed with reference to the time appointed for the settlement of the final schedule, and the rule so made only relaxed upon such terms as justice required.

4. What are the peculiar circumstances in the constitution of the Court, or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

I attribute the success of the Court to the following circumstances:—(*a*) the ability of all the Commissioners; (*b*) the ability, diligence, and courtesy of many of the inferior officers connected with the Court; (*c*) the Parliamentary title; (*d*) the small outlay to solicitors, in consequence of the absence of fees and stamps; (*e*) the rule making costs of petitioner the first charge on the fund; (*f*) the expedition with which sales were effected, and the proceeds distributed for some time after the Court was first established. The latter circumstance is to be ascribed to the *clearness* of the field of labour on which the Court entered, and which no longer exists. There is now much unavoidable delay in the chambers of all the Commissioners; and in one the accumulation of arrears is, as I am informed, immense; and I have no doubt but that a sale might be effected, and the proceeds distributed more rapidly in the Court of Chancery than in the Incumbered Estates Court, the circumstances of the estate being similar, and an equally active and intelligent solicitor having in each case the carriage of the proceedings.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

I think the principle of allocation by means of a final schedule might be adopted with much advantage: some interval should be suffered to elapse between the confirmation of the schedule and the payment of the money. At present that interval is secured in Chancery by the necessity of an application to the court to pay out the monies pursuant to the report or order of the Master.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court?

7. If the Court of Chancery had power to give a Parliamentary title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

I think these questions should be answered in the affirmative, assuming that the point of fees and stamps was not intended to be an element in the answer.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

I do not think it necessary; but without presuming to enter into the question of finance, I have long been of opinion that it would be for the public good to have the expense of the superior courts diminished; cheap, bad law, at the door of the peasant and the shopkeeper, is a moral evil; but the necessary expense of the superior courts (even though fees and stamps were totally abolished), with their remoteness from suitors' homes, would check wanton litigation.

9. Can you estimate the comparative expenses at present of a sale in Chancery, under the 15th section, and a sale in the Incumbered Estates Court, and what causes the difference in expense?

I cannot make any statement in figures upon this subject, but in Chancery the expense must be greater, because of charges and discharges, of the investigation of title by counsel for vendor and purchaser, and of complicated conveyances. In this reply I do not take into account the very great expense incurred in the Incumbered Estates Court, for valuations, surveys, maps, and advertisements.

10. What, according to your experience, have been the practical results of giving a Parliamentary title?

11. In your opinion, should the privilege of obtaining a Parliamentary title be continued and made permanent?

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

13. Should the privilege of obtaining a Parliamentary title be limited to lands of any particular tenure?

Unquestionably some of the practical results have been to increase the business of the Court, and enhance the value of property. Owners have sold and bought in; capitalists have been attracted by the magic of a Parliamentary title, and persons with a little money have had such a facility of borrowing on the security of the estate to be purchased, that they were enabled to bid, and buy considerable estates. On the other hand, however, time alone will disclose the names of the absentees, the infants, the persons entitled to contingent and executory interests, who have lost their properties by Act of Parliament. Notwithstanding the ability of the *present* Commissioners, cases are from time to time developed in which the property of A has been sold to pay charges affecting only B's estate. This occurred, I believe, in "*Robinson's Estate*," which was before the Commissioner, in February, 1854, as to a *small* plot of ground. But with regard to the continuance of the Parliamentary title system, after the emergencies, real or supposed, of 1850, shall have ceased, it is to be considered how completely the rights of persons interested in land, subject to such a system, depend on the integrity, ability, industry, and learning of the Master or Commissioner; and the question must be asked, can it be assumed that while the office is one of second or third rank, and while political connexion is a chief road to office, and while real property learning, and laborious industry are rare, that every successive Commissioner or Master will possess *all* these *indispensable* qualifications, and will peruse the abstract, and the deeds, and the searches, in the manner recommended by Lord St. Leonards, and with the acuteness of the counsel for a purchaser, who knows that all his client is worth in the world depends on his opinion, and not on an arbitrary Act of Parliament.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

I think the Masters in Chancery could well do all this business. In some of the offices accident may have created some inconsiderable arrear, while in others (for instance, the office of the Receiver Master) there is a great want of business. Much might be done to assist the Masters; they require the attendance of an officer or registrar in their courts. Many matters of formal reference from his Honor the Master of the Rolls might be disposed of, under the control of his Honor, by officers at present unemployed—*e.g.*, the Examiners of the Court of Chancery have little or nothing to do, and the same observation may be made as to other officers. And if the system of Parliamentary title should be continued, a conveyancing counsel of high character should be attached to each Master, to *assist* in the investigation of the title. I think this counsel should be paid by fees, and not by salary. His duty should be to peruse the deeds and examine whether the abstract be correct or not, as well as to advise on the title; and the Master might afterwards act on the abstract, without reading the deeds. In the Incumbered Estates Court abstracts are sometimes sent to counsel, *selected by the person having the carriage of the sale*, and always, or almost always, without copies of the deeds; and, I believe, the deeds or copies are not read by the Commissioners, unless some peculiar necessity should be detected by their own experience and sagacity. In Ireland the practice has been to send copies of the documents to the counsel instructed to advise on abstracts of title. In consequence of this practice solicitors in this country have not been in the habit of preparing abstracts with the legal accuracy generally to be found in English abstracts of title. In this country solicitors neither are nor are called *lawyers*, and it is not expected that they should be acquainted with the rule in Shelly's case, the subtilties of cases depending on the preservation or

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destruction of contingent remainders, the requisites of valid recoveries, and such like legal matters. In *Rogers's estate* the title came before me: the owner claimed to be seized in fee, his title depending on the destruction of contingent remainders to his issue, and which it was stated that he had destroyed by a recovery sufficient for that purpose, under the advice of that eminent and conscientious lawyer, the late Chief Justice Pennefather, in the year 1823—the owner had raised money on that title. Some recital in one of the papers, not mentioned in the abstract, led me to suspect that a mortgage was outstanding in 1825, and I caused inquiry to be made. A mortgage of the fee made in 1760 *behind the abstract* was discovered, and the estate (or all of it not charged prior to 1817) has been saved for the owner's infant son. This recital had escaped the notice of Mr. Pennefather, and would not have been presented to the Commissioners upon the abstract. The petition had stated that the owner was seized in fee, and was amended upon the son's application to the court.

15. What would you suggest as to the right of appealing from the Masters' orders in case the duties of the Commissioners were transferred to them?

16. Can you suggest to the Commissioners any other matter of importance not included in your answers to the foregoing questions, and bearing upon the subject of the Inquiry?

I think the appeal should be in the first instance to the Lord Chancellor, or Master of the Rolls, with the assistance of a Common Law Judge or Master, according as the question was one of law or equity, and then to the House of Lords. I think the present intermediate appeal to the Master of the Rolls objectionable, as in case of decision by him against the view taken by the Master in the matter, the party in whose favour the latter has decided generally appeals to the Lord Chancellor, and the expense at the Rolls is fruitless. I also very much prefer that the final court of appeal should be the House of Lords, rather than the Privy Council of Ireland. The private loss incurred through increased expense is compensated for in the public benefit of the preservation of a uniform code of law, protected by the authority of a tribunal common to the kingdoms of England and Ireland.

I desire to add one observation. Very few sales have been effected in the Court of Chancery, under the 15th section of the Regulation Act; but much expense has been incurred in petitions under that section, some praying a sale, and some a receiver pending a sale in the Incumbered Estates Court. The reason of petitions for sale without a sale following, has been the law or rule of the Incumbered Estates Court, by which the costs of sale are or were made the first charge on the produce of the sale, irrespective of the claim of the petitioner; and, consequently, after proceedings for sale in Chancery had been commenced, solicitors have (with or *without* the consent of the *insolvent* owners, or *puisne* incumbrancers) presented petitions in the Incumbered Estates Court, and rendered the Chancery proceedings wholly abortive. In *Hart's estate*, for instance, the lands were on the eve of sale by Master Murphy, when a petition was presented in the Incumbered Estates Court, on the part of a woman named *Molony*, residing in America, and who appeared to be the assignee of a judgment for £15 or £16, including costs, and affecting an estate in a state of hopeless insolvency. The result was the stay of the proceedings in Chancery, and a sale in the Incumbered Estates Court in January, 1855, for many hundreds of pounds less than enough to pay creditors prior to *Molony*. The carriage was transferred to the solicitor for the petitioner in Chancery, after a motion strongly contested by two counsel on the part of Molony; and out of the fund Molony's solicitor will get his costs up to and including the motion for a transfer of the carriage of the proceedings. I had occasion professionally to bring the case under the consideration of his Honor the Master of the Rolls, who expressed much indignation at the proceedings; and the case was afterwards mentioned in the House of Lord by Lords St. Leonards, and, I believe, resulted in the amendment of the Act of Parliament. I think the Chancery rule—costs with the demand—is sound and beneficial. The *concurrent* petition in Chancery for a receiver is also objectionable, and furnishes an argument for the transfer to that court of all proceedings concerning the same estate and the same parties. I should say that one-fourth of the petitions presented under the 15th section of the Chancery Act pray for receivers pending sales in the Incumbered Estates Court.

I have thought it right to express my opinions *freely* on the questions before me; and in doing so trust I have not been guilty of presumption unbecoming my position in my profession.

R. R. WARREN.

Answers of E. B. Lawless, Esq.

ANSWERS of E. B. LAWLESS, Esq., to Questions in Paper No. 7.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

Generally speaking, the practice and procedure of the Incumbered Estates Court has worked well, so far as experience and observation enable me to form an opinion.

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

In my opinion the title is not examined at a sufficiently early period of the proceeding; in fact, the purchaser may be in possession before it has been discovered, by the examination of the title, that the estate did not belong to the person named as owner. As the title is to be examined, it appears to me that the earlier this is done in the proceedings the better. Very important questions, as to the validity or priority of incumbrances, frequently

arise upon the settlement of the final schedule, without having had the questions of law raised in any formal way; and, sometimes, without having the facts very distinctly stated. In practice, the mischief likely to arise from this is, that important or material facts do not receive a sufficient discussion or examination. The notice of every claim to be put upon the schedule, and of every objection to every incumbrance on the schedule, should be served upon every party on the schedule, and every claimant. I think the present system leaves it too much open to the party having the carriage of the proceedings, to assist or connive at the proceedings of a party bringing forward demands, which, if a better opportunity of contesting them were afforded, could not be sustained in law or fact; but, on the whole, the practice of the Incumbered Estates Court, as to ascertaining incumbrances and distributing funds, is preferable to that of the Court of Chancery. There sometimes occurs a pretty long delay between the lodgment of the petition and its being read by the Commissioners; in other words, a long delay is caused before the conditional order for sale is made. I think it would be better if provision were made for procuring to be vacated or released, every judgment or incumbrance that is paid off in full. There is not, I believe, any record of payments kept in the Incumbered Estates Court, and if, at a future period, the owner of a judgment should attempt to enforce payment of it against the debtor, or against a surety, it might be impossible to procure evidence of payment of it.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

As to the constitution of the Court, the fact of there being three Commissioners leads sometimes to delay in disposing of appeal motions before full Court, as the accidental absence of any one Commissioner will prevent the appeal from being disposed of; this causes delay. It is discretionary in Commissioners to sell. If they are to be constituted a permanent tribunal this should be altered, and full force should be given to an incumbrancer's right. There should be an absolute right of appeal to the judicial committee of the Privy Council, not subject to the discretion of the Commissioners. The title should be examined at an earlier period; more full notice of questions arising on the final schedule should be given to the parties interested in the discussion of them. Notice should be given to each tenant, personally, of how he is to be described upon the rental, in order that every tenant may be insured an opportunity of asserting his rights, which are to be learned by the conveyance to the purchaser.

4. What are the peculiar circumstances in the constitution of the Court or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

I think it was the priority given to the costs of the petitioner's proceedings that first made the Court popular.

Its real and substantial advantages are, immunity from court fees and expenses, freedom from expensive pleadings, and expense of formal parties and formal proofs.

Parliamentary title, both as increasing the selling value of the land, and as a part of the machinery by which the land is resolved into money at an early stage of the proceedings.

The not requiring redemption by a puisne creditor of a prior mortgagee.

The fact of having the actual money proceeds of the estate to deal with instead of land assumed to be sufficient to pay every imaginable demand, and the consequent getting rid of a number of parties and additional discussion.

The fact that the funds are distributed by the same judge who adjudicates upon the rights to them, and practically in the same proceeding in the cause, whereby the delay and expense of the allocation proceedings in the Court of Chancery are avoided.

The facility of having an appeal upon any separate or isolated questions as to the rights to any portion of the funds, without delaying the distribution of the rest, and without the expense of having a hearing of the entire case.

The partition procedure, which is a vast improvement upon the Chancery commission of partition.

The great advantage of a Court of Appeal in Ireland, at an expense which, compared to that of an appeal to the House of Lords, is merely nominal.

The liberal and comprehensive mode in which the Act has been worked by the Commissioners.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

If a power to confer a Parliamentary title be given to the Court of Chancery, I think it would be beneficial to adopt, in that Court, the practice of selling the estate before ascertaining the particular rights of all the incumbrancers, many of whom may, from their position, have no real interest in the proceedings.

Also the practice of ascertaining the tenancies.

The practice of having the funds distributed by the same judge who adjudicates upon the rights to them, and who allocates them.

The practice of having the conditional order for sale made by the judge or officer upon reading the petition.

The practice by which all long pleadings are dispensed with, and the necessity of bringing a number of parties before the Court done away with.

The practice of not giving to the owner of an incumbered estate three or six months' time to pay, after the decree made, as is usual in Chancery.

The practice of transferring from the petitioner, &c., the carriage of the proceedings, where any delay, not satisfactorily accounted for, has taken place. In the Court of Chancery

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it has always been too difficult to take the carriage of the proceedings from the plaintiff or another creditor; and such an application is sometimes considered an ungracious one. The 48th General Order of the Incumbered Estates Court imposes a duty upon the Commissioners, the strict performance of which must interfere with the regular discharge of their other duties; but it has served to establish the taking away the carriage of proceedings from a petitioner who does not satisfactorily account for delay.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court?

In my opinion, the proceeding for a sale under the 15th section of the Chancery Regulation Act, can (allowing for the advantage of a Parliamentary title) be made as effectual as the proceeding for a sale in the Incumbered Estates Court. That is, you can, in a petition under the 15th section, establish the petitioner's right, ascertain and bind the rights of all other parties, sell the estate and make title to the purchaser, and distribute the funds as effectually as you can in the Incumbered Estates Court, allowing always for the advantage that Court has in being able to confer a Parliamentary title. If the incumbrancers upon the estate are not many in number, and their rights not very obscure or complicated, I think the *order for sale* can be had as promptly in the Court of Chancery, under the 15th section, as it is now usually had in the Incumbered Estates Court; but as to the sale itself, it must be remembered, that the rule of the Court of Chancery is, in mortgage and equitable incumbrance suits, to decree payment, and in default of payment in three and six months, respectively, then a sale. This causes a great delay, to which the proceedings in the Incumbered Estates Court are not liable. It must also be remembered that, generally speaking, the order for sale in a 15th section petition, is not made until the rights of all the incumbrancers have been ascertained. If the incumbrancers are not many, the matter can proceed with sufficient expedition; but if they are numerous, there must be delay, as the ascertainment of every disputed incumbrance involves an inquiry into issues of law, or issues of fact, or perhaps both. Every one of the disputed incumbrances becomes the subject of a little suit before the Master, in which the pleadings are by charge and discharge. I have looked over the sale and order books in Master Murphy's office, and, without professing to have made an accurate analysis of the cases contained in those books, I think I may safely say, that in the majority of the cases the order for sale is made within a year from the time of bringing the petition into the office. I find a great many cases in which the order for sale has been made in five or six months, but then the order is generally for payment, and, in default, a sale in three or six months. There are some few cases in which the actual *sale* has been had within the year; but those were cases in which there were but very few, if any, incumbrancers besides the petitioners, and in which it is probable the respondents waived the three or six months' time. There are, on the other hand, several cases in which a delay of months, exceeding a year, occurs, between the bringing in of the petition and the taking of any further step by the petitioner. This may be ascribed to negligence, or to the pendency of some treaty of compromise, or to the *bona fide* desire to afford some indulgence to the respondent. Upon the whole, I think the proceedings for a sale and ascertainment of the rights of creditors may, by exercising fair diligence, be as prompt under the 15th section, as in the Incumbered Estates Court. But, if the incumbrances are numerous and contested, the *sale*, but not the sale and ascertainment of incumbrances, could be had more expeditiously in the Incumbered Estates Court. It must also be remembered that the proceedings towards a sale in the Court of Chancery are frequently delayed by the necessity of having accounts of personal estates taken.

7. If the Court of Chancery had power to give a Parliamentary title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

I think they could be had as promptly and as cheaply, except for the court fees and stamps.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

I do; I cannot see any advantage to the suitor, or any protection to the debtor, gained by continuing court fees and stamp duties.

9. Can you estimate the comparative expenses at present of a sale in Chancery, under the 15th section and a sale in the Incumbered Estates Court, and what causes the difference in expense?

I can not.

10. What, according to your experience, have been the practical results of giving a Parliamentary title?

I think the practical results of giving a Parliamentary title have been, to increase the selling value of land; to save expense, by having the fund ascertained and in hand before the ascertainment of incumbrances takes place; and from the same cause to expedite and facilitate the distribution of the funds.

11. In your opinion, should the privilege of obtaining a Parliamentary title be continued and made permanent?

I think it should.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

I think it would be dangerous to extend the privilege of transferring a Parliamentary title to the owners of unincumbered estates. I think it would require a more perfect and

stringent law of registration of deeds than we have now, to secure the reasonable certainty of not doing an injury, by enabling any person to transfer a Parliamentary title. As at present constituted, courts come to right conclusions upon the conflict of statements and proofs by opposing parties. But how or by whom is any question of an investigation into title to be raised or made when there is but one party before the court, and that one interested in preventing a real inquiry into the title; and if there be no conflict, to elicit the truth, what security is there for arriving at a sound conclusion. Would it not be but just and fair, supposing a power of conferring a Parliamentary title were to be granted, to make a saving for persons under disability; and if that were done, the value of the Parliamentary title would cease, inasmuch as the title would not be universally good against all the world.

13. Should the privilege of obtaining a Parliamentary title be limited to lands of any particular tenure?

I do not see the necessity for, or advantage of, limiting it to lands of any tenure.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

I do not think they could; they have not a sufficient staff of officers for the business. The two classes of business would interfere with, and retard, one another; besides, it appears to me that the Masters' offices are reasonably full of business, sufficient to occupy the Masters in Court, during their business hours.

15. What would you suggest as to the right of appealing from the Master's orders, in case the duties of the Commissioners were transferred to them?

If the duties of the Commissioners of the Incumbered Estates Court were transferred to the *Masters*, there ought, I think, to be a right of appeal to the Lord Chancellor, or rather, perhaps, to the Lord Chancellor, assisted by two of the Masters, with a right of ultimate appeal to the judicial committee of the Privy Council, as at present, or similarly, constituted, whose decision should be final, with power to give costs.

16. Can you suggest to the Commissioners any other matter of importance not included in your answers to the foregoing questions, and bearing upon the subject of the Inquiry?

In the present system of proceeding, under the 15th section of the Chancery Regulation Act, the application to the Lord Chancellor for an order referring the petition to the Master, is, I think, attended with no practical advantage. As the petitioner has to make out title under the Court to the lands, the subject of the petition, I think that the earlier in the proceedings the steps necessary for this purpose are taken, the more expeditious those proceedings will be. I think the petitioner should make all necessary parties to his petition in the first instance, but should do so by merely naming them in their several characters in the petition, and serving them with notice. The Masters should have power to direct substitution of service of such notice and service out of the jurisdiction. The Masters who decide upon the rights of the parties to funds in Court, should have power to distribute those funds. The Masters should, I think, be called, and have the powers and functions of, Vice-Chancellors, and should work out each cause from beginning to end; but, I think, they would require more assistance than they have now. In England there are conveyancing counsel, nominated by the Lord Chancellor, who assist, in many things, each Vice-Chancellor. In this country, where there are no counsel who practise only as conveyancing counsel, it would, I think, be necessary to appoint, permanently, counsel for the purpose, who should not merely examine titles and conveyances, but who should assist in the settlement of a schedule of incumbrances, and the payment out of the funds. The Masters' Courts should be as public in every respect, and as much subject to the influence of public opinion, as any of the superior courts. I would extend the principle of the Act 17 and 18 Vict., cap. 113; and in the case of an incumbrancer upon land, whose demand is, according to the present law, primarily payable out of personal assets, I would not require him to take an account of personal assets in the first instance; nor unless the owner of the real estate should show that there was in existence a legal personal representative and personal estate immediately available, sufficient for the payment of the petitioner's demand. I would alter the practice of the Court of Chancery, which decrees a sale, in default of payment, in three or six months.

Edmond B. Lawless.

Answers of William Smith, Esq., Barrister-at-Law, to Questions in Paper No. 7.

1. According to your experience, has the course of practice and procedure adopted in the Incumbered Estates Court worked well?

According to my experience, I think the course of practice and procedure adopted in the Incumbered Estates Court has generally worked well, regard being had to the enormous quantity of business to be disposed of.

2. Have you observed any defects or imperfections in that course of practice? If so, state the same, and any remedies which you can suggest.

It appears to me that in endeavouring to avoid the strictness of practice observed in the Court of Chancery in the ascertainment of rights, as well as in the distribution of funds, the Incumbered Estates Court has fallen into the opposite extreme. I consider the practice as by far too lax and irregular; and I may, in particular, advert to the schedules of incumbrances, and settlement thereof, and the very brief mode in which directions for payment out of the funds are given. I think that to warrant the payment out of money, and especially where the sums are of large amount, a precise order ought to be made and

PAPER No. 7.

Answers of William Smith, Esq., Barrister-at-Law.

preserved in an order-book, and that it should specify precisely on what account the payment is made. Owing to the vast quantity of business to be discharged by each of the Commissioners, and the want of a secretary or registrar to take down more formally their orders, I have, in cases which came before me, found much difficulty in rightly understanding the memoranda under which payments have been made, or on what precise account such payments have been made.

A similar objection applies as to investments by the Accountant, of which an example was detailed in affidavits made in a cause in Chancery, in which I was lately engaged as counsel, *Hamilton* v. *Barton*, by which it appeared that a direction to invest £2,000 in Government 3¼ per cent. stock to a separate credit having been made by a loose memorandum, when this was brought to the Accountant, that stock being then closed, he, I suppose on the *cy pres* doctrine, invested part of the fund in the purchase of £3,000 consols to the general credit of the matter, for which no authority could be produced. The affidavit of Mr. Worthington, solicitor, filed in the Chancery case, on the 11th of May, 1854, contains the following passage—"Saith, he has also made diligent inquiries "from the Accountant of said Court for any fiat or directions in writing, authorizing an "investment of the sum of £3,000, but same cannot be found; and said Accountant has "informed deponent that the slips of paper upon which said orders are made are "frequently destroyed."

I have heard, from solicitors, complaints of the irregular order in which fiats for conditional orders for sale are made on petitions; that one petition may remain unnoticed *for eight or nine months*, whilst another filed six or seven months later may be fiated on the day next following its presentation; and that this will appear if a return of the petitions presented with the dates of the respective conditional orders for sale be made.

I would suggest that petitions should be disposed of according to the order of priority as to the time of filing each.

The inconvenient locality of the Court is the subject of general complaint; the effect being, as regards the bar, to confine the practice chiefly to the very limited number of gentlemen who devote themselves more immediately to this Court, and depriving the suitors of a more general power of selection. This might be easily remedied, as very extensive premises in Pill-lane, immediately contiguous to the Four Courts, have been for some time to let, which, by a small outlay, might form a suitable court and offices. I allude to the large concerns lately occupied by Mr. Mooney, Ironmonger, and several adjoining houses, that might readily be connected with the Four Courts by a covered passage.

It appears to me that the practice of the Court with reference to *advertisements*, entails very great expense on estates that might be advantageously curtailed.

The practice so prevalent of having so-called *surveys and valuations* of estates made, appears to me to have been greatly abused. These "surveys" are notoriously merely enlarged copies of the ordnance maps, which as to sales in Chancery are generally adopted there; and as the Poor Law Valuation and Mr. Griffith's Valuation would be amply sufficient to guide *the Court*, I think it perfectly idle to obtain a professional valuation which cannot be supposed to influence intending *purchasers;* whilst the sums charged for these "surveys and valuations" are quite preposterous, as the returns respecting them will show. An examination of the persons who have dealt in these "surveys and valuations," would, as I have been assured by respectable practitioners, show great abuses.

3. Can you suggest any modification or alterations in the constitution of the Court, or in its rules or practice, which, in your opinion, would be calculated to improve the system?

I have, in my answer to quere No. 2, suggested some alterations as to the practice of the Court. I do not suggest any modification or alteration in the constitution of the Court, being of opinion that although its institution, under the peculiar circumstances in which it originated, was beneficial, yet, that its temporary character should be regarded; and that it ought not to be continued beyond the necessity of the occasion which called it into existence. It is not, in my opinion, constituted, nor does it possess machinery to enable it to determine and dispose of the complicated rights of property which the Court of Chancery does; and the consequence has been, that parties have been obliged to resort in many cases also to the Court of Chancery, as well as to Courts of law, to determine questions which, if they had arisen in Chancery, that court would have also decided. In my opinion, the period for filing petitions in the Incumbered Estates Court ought not to be extended; but I think that the Court ought to be continued until it winds up at least the principal portion of the business now before it, which would give it full occupation for several years, and towards its close any business not completed might be transferred to the Court of Chancery.

4. What are the peculiar circumstances in the constitution of the Court or its mode of procedure, which, in your opinion, have mainly contributed to its successful operations?

The successful operation of the Court is, in my opinion, to be attributed to the vast extent and number of incumbered estates, the embarrassments of the owners, as well as of the incumbrancers, increased by the pressure caused by the failure of the potato crop, which rendered the payment of rents, and consequently of interest on charges, in general impossible; to the anxiety of incumbrancers to relieve their pressing necessities, by effecting a speedy sale, in the hope of a speedy distribution of the purchase money; to the temptation originally held out to solicitors to bring cases into the court, by the assurance that the costs would be paid *in the first instance*, without regard to the priority of any demand; thus inducing the presenting of speculative petitions in the names of so-called incumbrancers, to whose demand, in no event, would the produce of the sale extend; as well as in the names

of "owners" utterly insolvent, having no real interest in the estate, but who might wish to serve their solicitors; to the advantage of being able to proceed with scarcely any pecuniary outlay or advances, the proceedings not being liable to stamp or equity fund duty, or to office fees as in Chancery (beyond mere scrivenery charges), and credit being given for advertisement bills, and for the charges for "surveys, valuations, and printing," until these matters should be paid out of the fund to be realised by the sale of the estate; and by the great advantage of sale with a Parliamentary title. These are, in my opinion, the peculiar circumstances in the constitution of the Court and its mode of procedure which have mainly contributed to its extensive operations.

5. In the event of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think the practice of the Incumbered Estates Court or any and what part of it should be introduced into Chancery?

In the event of the granting to the Court of Chancery powers similar to those of the Incumbered Estates Court, I do not think that the practice of the Incumbered Estates Court should be introduced into Chancery. The practice of the latter Court has recently undergone great alterations, and a modification of the practice similar to schedules of incumbrances has been adopted, which I consider better than that existing in the Incumbered Estates Court, to which I have already adverted.

In the event of the Legislature conferring on the Court of Chancery powers and privileges similar to those of the Incumbered Estates Court, of course various alterations and modifications of the practice in Chancery, with reference to such additional jurisdiction, would be necessary, and in such case the practice of the Incumbered Estates Court would, doubtless, deserve and receive due consideration as to how far it might be proper to adopt it.

6. Is the proceeding for sale of an estate in Chancery, under the 15th section, as prompt or as effectual a proceeding as a petition in the Incumbered Estates Court?

I think that the proceeding for sale of an estate in Chancery, under the 15th section of the Court of Chancery (Ireland) Regulation Act, 1850, conducted by a diligent solicitor, is more prompt than a proceeding by petition in the Incumbered Estates Court, owing to the accumulation of business there; and that if the former Court could confer a Parliamentary title, and if the order for sale were immediate and not after a period of three months in foreclosure suits, or six months in other cases, in my opinion, a sale might be had in Chancery more prompt than, and as effectual as, in the Incumbered Estates Court. In fact, I entertain no doubt, but that in such case, a sale might be had in Chancery within a shorter period than has elapsed (in at least one case) between the presenting of a petition for sale, *and the making the conditional order thereon.* The advantage of conferring a Parliamentary title, and the matters adverted to in my answer to quere No. 4, have, in general, induced solicitors to proceed in the Incumbered Estates Court, even after having obtained an order for sale on a cause petition in Chancery.

7. If the Court of Chancery had power to give a Parliamentary title, do you think that sales could be had there as cheaply and as promptly as in the Incumbered Estates Court?

If the Court of Chancery had power to give a Parliamentary title, I think that sales could be had there more promptly than in the Incumbered Estates Court, and more cheaply, especially if the Court of Chancery possessed the same privilege that the Incumbered Estates Court does, of exempting suitors, in cases for sales of incumbered estates, from payment of office fees and stamp duties.

8. Do you think that it would be necessary, in case the powers of the Incumbered Estates Court were transferred to Chancery, that the exemption from fees and stamps, which proceedings in the former Court possess, should be continued in the Court of Chancery?

If the policy which created the Incumbered Estates Court is to be carried out by conferring on the Court of Chancery similar powers with the same object, I think that the exemption from fees and stamps which proceedings in the former Court possesses, should be applied to similar proceedings in the Court of Chancery. It does not appear to me just that the suitor for a sale in Chancery should be obliged to pay fees and stamp duties from which a suitor for the same purpose in the Incumbered Estates Court is exempt.

9. Can you estimate the comparative expenses at present of a sale in Chancery, under the 15th section, and a sale in the Incumbered Estates Court, and what causes the difference in expense?

If the Court of Chancery were enabled to confer a Parliamentary title, in my opinion a sale could be effected there, under the 15th section of the Chancery Regulation Act, with as little expense as in the Incumbered Estates Court; as I consider that the extra expenses for advertisements, and "surveys and valuations," in the latter Court, would fully countervail the fees and stamp duties to which a suitor in Chancery is at present liable. The difference of expense in Chancery arises from the obligation to pay heavy office fees and stamp duties, which are applied towards defraying the expenses of the Court, whereas, these expenses in the Incumbered Estates Court are defrayed out of the Consolidated Fund: and from the necessity of deducing strict title to the estate, involving the expense of releasing incumbrances, satisfying judgments, recognizances, &c.; settling conditions of sale; and the number of parties to ordinary conveyances, &c.

10. What, according to your experience, have been the practical results of giving a Parliamentary title?

According to my experience, the practical results of giving a Parliamentary title has been to induce purchasers to prefer property sold with such title; to obtain a higher value for estates than they would otherwise fetch; and to prevent litigation; although in some particular cases this may have led to injustice, owing to want of notice to parties interested.

PAPER No. 7.

Answers of William Smith, Esq., Barrister-at-Law.

11. In your opinion, should the privilege of obtaining a Parliamentary title be continued and made permanent?

In my opinion, the privilege of conferring a Parliamentary title in cases of sales of incumbered estates, ought to be continued as to petitions in the Incumbered Estates Court, to which it at present applies; and ought to be conferred on the Court of Chancery, and be as to that Court, continued and permanent. With the great caution there observed, I think it exceedingly improbable that any particular case of injustice, from want of notice to any party interested in the ownership of the estate, would arise.

12. Should that privilege be confined to estates incumbered, or should the proprietor of an unincumbered estate have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation?

I think that privilege need not be confined to estates incumbered; for, I do not see any objection that the proprietor of an unincumbered estate should have the privilege of transferring a Parliamentary title by submitting his title to a judicial investigation, if he think fit to submit to the expense of such an investigation, which could be had as readily in such case as if the estate were incumbered. In fact this has been substantially done under the Incumbered Estates Act, as I have known cases where incumbrances were created on unincumbered estates, expressly for the purpose of thereby selling the estate with a Parliamentary title.

13. Should the privilege of obtaining a Parliamentary title be limited to lands of any particular tenure?

I think the privilege of a parliamentary title should be limited to lands of the particular tenures comprised within the present Incumbered Estates Acts.

14. In case of a transfer of the powers of the Incumbered Estates Court to the Court of Chancery, do you think that the Masters could, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners?

In case of conferring powers on the Court of Chancery similar to the powers of the Incumbered Estates Court, I think that by a proper arrangement and distribution of the business of the Court of Chancery, the Masters could, in addition to their other business, discharge the duties with reference to all proceedings for sale there of incumbered estates, that is, as to petitions *in futuro;* but there can be no doubt that the Masters could not, in addition to their other business, discharge the duties at present discharged by the Incumbered Estates Commissioners, as to the existing business before the latter Court, which has accumulated to such a degree, that I think it would afford the Commissioners full employment for several years to dispose of it. Considering that the great bulk of incumbered estates in Ireland have already come within the sphere of action of the Incumbered Estates Court, by which the political object for which that Court was established has been, and is in process of being achieved, and that the very special circumstances in which it originated no longer exist, its temporary character should be observed; and as to the future ordinary cases for sales of such estates, I think that, as the permanent tribunal, the Court of Chancery, reformed as its practice now is, ought to be preferred; and that henceforth, that class of business ought to be restored to that Court which, from its constitution and practice, I think best calculated most effectually to adjudicate on, and administer rights according to the long and well-established principles of equity. I have adverted to some new arrangement, and distribution of business, in Chancery, in consequence of the effects caused by the extended operation of the 15th section of the Court of Chancery Regulation Act, which has cast on the Masters a large portion of the business that, in ordinary causes, was heretofore transacted in the Rolls Court.

15. What would you suggest as to the right of appealing from the Master's orders in case the duties of the Commissioners were transferred to them?

I would suggest, as to the right of appealing from the Master's orders in the case supposed by this question, that it should remain as that right stands at present with respect to orders of the Masters, under the Chancery Regulation Act.

16. Can you suggest to the Commissioners any other matter of importance not included in your answers to the foregoing questions, and bearing upon the subject of the Inquiry?

I think the right of appeal ought to exist in all cases, and not as under the Incumbered Estates Act, to rest on the discretion or will of the Commissioners. I think, considering the amount of property and the importance of the questions upon which the Commissioners are empowered to adjudicate, that an appeal should lie, as the right of the suitor, to the Privy Council, with an ultimate appeal to the House of Lords; and, if this right were conferred on suitors of the Court of Chancery *generally*, it would be a valuable improvement, when it is considered that the number of cases as to property of small amount, although of great importance to the parties, which the facilities and cheapness of the present proceedings in Chancery by cause petition have produced; that in more than nineteen cases out of twenty the average of the property in dispute is in value under £1,000, or perhaps half that sum; and that the costs of an appellant to the House of Lords varies from £400 to £700 and upwards, which the appellant must pay, even though he should succeed in reversing the order; it will be found that, *practically*, in this large class of cases, the power to appeal does not exist; and considering the expensive forms required by the House of Lords, it would be felt as a great boon to suitors if an appeal were given in *all cases* from Chancery to the Privy Council, where cases might be re-heard at a trifling cost with little delay, and the law might be satisfactorily settled on points as to which the Lord Chancellor, the Master of the Rolls, and one of the Masters, may, perhaps, have all differed.

WILLIAM SMITH.

PAPER No. 8.—RETURN required from the TAXING OFFICE of the INCUMBERED ESTATES COURT. [*See Appendix, p.* 134.] PAPER No. 8.

PAPER No. 9.—QUESTIONS addressed to the Right Hon. The MASTER of the ROLLS. PAPER No. 9.

Questions addressed to the Right Hon. the Master of the Rolls.

1. Would it, in your opinion, be advisable to extend to the Court of Chancery the powers and authorities contained in the Incumbered Estates Act, or to confer similar powers on the Court of Chancery?

2. Would it be advisable to confer upon the Court of Chancery the power of giving to purchasers under the Court indefeasible titles?

ANSWERS of the Right Hon. The MASTER of the ROLLS to Questions in Paper No. 9.

Answers of the Right Hon. the Master of the Rolls.

1. Would it, in your opinion, be advisable to extend to the Court of Chancery the powers and authorities contained in the Incumbered Estates Act, or to confer similar powers on the Court of Chancery?

I am of opinion that it would not be advisable to extend to the Court of Chancery the powers and authorities contained in the Incumbered Estates Act, or to confer similar powers on the Court of Chancery.

It has, I understand, been repeatedly stated by the Commissioners for the Sale of Incumbered Estates, that their conveyance under the 27th section of the 12th & 13th of the Queen, c. 77, gives a good title to the purchaser as against all the world, without the least regard to the question whether the title is good or bad, or whether the Commissioners had any right whatever to sell the estate—in other words, that they may sell the estate of one man to pay the debts of another.

This is not an imaginary case—it has actually taken place.

Accordingly, under the construction which the Commissioners say is to be put on the statute, a gentleman in the possession of a family estate, on which there is no incumbrance whatever, may be turned out of possession of his house and land by a purchaser under the Incumbered Estates Court; and any remonstrance of his is to be met by the statement, that the purchaser has a Parliamentary and indefeasible title!!

When the Incumbered Estates Act was passed it was, in my opinion, a necessary measure, as no authority short of the despotic and unconstitutional power vested in the Commissioners would have been sufficient to meet the great evil which, under the peculiar circumstances of Ireland in the year 1849, called for a strong and *immediate* remedy; and it possibly might be advisable that the powers, now vested in the Commissioners, should be continued for a further *limited* period. But the question put to me involves the consideration, not whether those powers are to be continued in the Commissioners for a further limited time, but whether they should be *permanently* vested in any tribunal.

I am of opinion that those powers should not be *permanently* vested in the Incumbered Estates Court, or in the Court of Chancery, or in any other tribunal.

I entertain a strong objection to the system of exceptional legislation for Ireland. Those who contend that there should be exceptional legislation are bound to prove the existence of an exceptional state of circumstances to justify such legislation. Such a state of facts existed in 1849; but I am not aware of any circumstances connected with Ireland, at present, to justify the *permanent* enactment of an arbitrary and unconstitutional law.

No person would venture to propose the introduction of a similar measure for England; and, if not, are you to establish, as part of the permanent law of Ireland, that any person in this country (although his estate may not owe a shilling,) is to be subject to have it illegally sold, and a Parliamentary and indefeasible title conveyed to a purchaser?

According to the law of England, if your property is sold by any tribunal without just cause, you have a remedy; according to the provisions which it is suggested should become the permanent law of Ireland, once the property is sold and the conveyance executed to the purchaser, no matter how flagrant the injustice may be, you are without remedy.

Such, at least, is the opinion which the Commissioners of the Incumbered Estates Court are said to entertain. If they do not entertain that opinion, it would be desirable the public should know what they consider to be the construction of the 27th section of the statute.

It is all very well to inform creditors and incumbrancers that they may claim against the fund in Court, but what measure of justice would it be to a gentleman in possession, or entitled in remainder to a family estate, who should be turned or kept out of possession by a purchaser having a Parliamentary title, to inform him that the purchase-money has not *perhaps* been all distributed, and that he might apply to the Court for the purchase-money—such an answer would be a mockery.

A person entitled in remainder, after the death of a tenant-for-life, if he seeks to get possession, on the death of the tenant-for-life, may be told that the Commissioners (or the Court of Chancery, if you give that Court the powers suggested), sold the estate, and conveyed the fee to the purchaser, being of opinion that the tenant-for-life had an estate of inheritance. The remainderman, however clear and undeniable his title may be, is entirely without remedy.

If, however, the powers vested in the Commissioners for the Sale of Incumbered Estates are to be permanently vested in any tribunal, it would, in my opinion, be much more for the advantage of the public that they should be exercised by the Commissioners, and not by the Court of Chancery. The Commissioners have performed the important duties entrusted to them with great ability and caution; and it would be much safer that those

PAPER No. 9.

Answers of the Right Hon. the Master of the Rolls.

arbitrary powers should be exercised by a tribunal whose attention is devoted exclusively to the one subject, (and which, on that account, is subject to much responsibility), than by the Judges of the Court of Chancery, who have so many other duties to perform, that the proper investigation, by them, of the title in each case, would be out of the question.

According to the fourth section of the Bill now before Parliament, entitled, "a Bill for Securing the Titles of Purchasers of Estates sold under the Court of Chancery in Ireland," the security of every landholder to his estate would depend on the legal knowledge of the "barrister of fifteen years' standing," and on the integrity of the solicitor who prepared the abstract of title.

A measure which would enable the Court of Chancery to give a Parliamentary and indefeasible title, as against all *incumbrancers*, might be advisable; but such a measure would be subject to considerations entirely different from a Bill authorizing the Court of Chancery to give a Parliamentary title against *the real owner of the estate*, who might never hear of the proceedings.

2. Would it be advisable to confer upon the Court of Chancery the power of giving to purchasers under the Court indefeasible titles?

I am of opinion that it would be advisable that the law, which relates to the transfer of land, should be so simplified as to enable the owner of an incumbered or *unincumbered* estate to confer an indefeasible title by sale out of Court; and if such power existed, it would follow, as a consequence, that the Court of Chancery could also (if the estate was sold in that Court), convey an indefeasible title.

The mode, however, by which that object is to be attained is not, in my opinion, by conferring on the Court of Chancery the present powers exercised by the Incumbered Estates Commissioners, and thus enabling the Court of Chancery to sell one man's estate to pay another man's debts, (an event which, I am satisfied, would frequently take place in the latter Court), but by the radical reform of the law which relates to the transfer of land.

It is not necessary that I should explain how this is to be accomplished, having fully stated my views in answer to questions recently put to me by the Commissioners appointed in England to consider that most important subject;* but I am of opinion, on the grounds which I have stated to those Commissioners, that if the Government has courage to deal with the question, and to disregard the opposition of interested parties, that land may be sold with very nearly as little delay or difficulty as Government Stock; and that as indefeasible a title may be given on the transfer of the former as is now given on the transfer of the latter.

If those Commissioners shall report in favour of a substantial measure of reform it will, I presume, be carried into effect; and it would be much better, in my opinion, to continue the powers of the Incumbered Estates Court for a further limited period, (instead of transferring them to the Court of Chancery), until the Report of the said Commissioners shall have been made, and until it shall be ascertained whether the Government mean to take up the question of the reform of the law which relates to the transfer of land in England and Ireland, and which, in my opinion, it is the bounden duty of the Government to do.

It may be right to add, that what has led to the agitation of the question as to the transfer to the Court of Chancery of the powers of the Incumbered Estates Court, is the inconvenience which the bar and the solicitors suffer from that Court transacting its business in Henrietta-street, so far from the Four Courts.

The consequence has been that a very limited number of barristers practise in the Incumbered Estates Court, the greater portion of the bar in practice being unable to absent themselves from the superior Courts.

If the Commissioners could arrange with the Government to have accommodation (not, perhaps, for their records or their officers), but for the hearing of motions, &c., in the immediate neighbourhood of the Four Courts, so as to open their Court to the whole bar (which, on public grounds, would be desirable), nothing more would, I believe, be heard of the transfer of the jurisdiction to the Court of Chancery. It is idle to say that the judges of the Court of Chancery, with their various other duties, would exercise the powers of the Incumbered Estates Court as accurately or satisfactorily as they have been exercised by the Commissioners.

T. B. CUSACK SMITH.

PAPER No. 10.

Questions addressed to the Commissioners of the Courts of Bankruptcy and Insolvency.

PAPER No. 10.—QUESTIONS addressed to the COMMISSIONERS of the COURTS of BANKRUPTCY and INSOLVENCY.

1. Would it, in your opinion, be expedient to confer on the Bankrupt Court a power of giving to purchasers under that Court indefeasible titles?

2. Or, where a sale is necessary would it be expedient to direct the real estate of the bankrupt to be sold in the Incumbered Estates Court?

Answers of John Macan, Esq., Q.C., Senior Commissioner of the Court of Bankruptcy.

ANSWERS of JOHN MACAN, Esq., Q.C., Senior Commissioner of the Court of Bankruptcy, to Questions in Paper No. 10.

1. Would it, in your opinion, be expedient to confer on the Bankrupt Court a power of giving to purchasers under that Court indefeasible titles?

In my opinion it would not be expedient to confer on the Bankrupt Court a power of giving to purchasers under that Court indefeasible titles; because, even in those cases

*The Commissioners have been appointed to inquire "into the subject of registration of title with reference to the sale and transfer of land."

(not the most numerous class,) in which the title of the bankrupt is really free from objection, the Court of Bankruptcy has neither officers nor machinery of any kind, much less authority to protect third parties, having or claiming to have legal or equitable rights upon the estate sold, or to transfer those rights from the land sold, and attach them to and upon the purchase money. This the Incumbered Estates Court can do, and, therefore, may be safely, and to the great advantage of the public, intrusted with the power to give to the purchaser an indefeasible title, a power which, in my apprehension, ought to be conferred on the Court of Chancery, but not on the Court of Bankruptcy.

Paper No 10.

Answers of John Macan, Esq., Q.C., Senior Commissioner of the Court of Bankruptcy.

2. Or, where a sale is necessary would it be expedient to direct the real estate of the bankrupt to be sold in the Incumbered Estates Court?

In my opinion it would not be expedient as a general rule to direct the real estate of the bankrupt to be sold in the Incumbered Estates Court, because many cases must occur in which such a course would occasion increased expense and delay, and therefore, injury to creditors. But, in my apprehension, it would be highly expedient to confer on the Court of Bankruptcy the power to order that the real freehold and leasehold estates and property of the bankrupt should be sold in the Incumbered Estates Court, whenever the Commissioner of Bankrupt presiding considered such a course desirable.

JOHN MACAN.

ANSWERS of the Right Honourable JOHN HATCHELL, Commissioner of the Court of Insolvency, to Questions in Paper No. 10.

Answers of the Right Hon. John Hatchell, Commissioner of the Court of Insolvency.

1. Would it, in your opinion, be expedient to confer upon the Insolvent Court a power of giving to purchasers under that Court indefeasible titles?

I think it would not be expedient to confer upon the Insolvent Court a power of giving to purchasers under that Court indefeasible titles; that Court does not, by its officer (the assignee), represent, nor does it exercise any jurisdiction over, the interests of incumbrancers who have special liens upon the lands.

2. Or, where a sale is necessary, would it be expedient to direct the real estate of the insolvent to be sold in the Incumbered Estates Court?

But that Court might be enabled, in a proper case, if it should think fit, to direct the assignee to prefer a petition in the Incumbered Estates Court; the assignee being entitled to his costs as the first charge on the fund. In some cases a sale in the Incumbered Estates Court would, no doubt, result in a surplus fund for the simple contract creditors, in many cases in which that fund is exhausted by litigation, which the Insolvent Court cannot restrain for want of jurisdiction over judgment creditors and parties having special liens on the lands.

JOHN HATCHELL.

PAPER No. 11.—QUESTIONS addressed to the TAXING MASTERS of the COURT of CHANCERY.

Paper No. 11.

Questions addressed to the Taxing Masters of the Court of Chancery.

1. Is there any arrear of business at present remaining undisposed of in your office; and if so, what is the amount of such arrear?

2. Is there any delay at present in your office in obtaining the taxation of a Bill of Costs, by reason of the pressure of business there?

3. Have you taxed Bills of Costs of proceedings to a sale under the 15th section of the Chancery Regulation Act; if so, can you state the amount to which such costs tax between party and party in an average case.

ANSWERS of the TAXING MASTERS of the COURT OF CHANCERY to Questions in Paper No. 11.

Answers of the Taxing Masters of the Court of Chancery.

ANSWERS of JOHN O'DWYER, Esq.

Answers of John O'Dwyer, Esq.

1. Is there any arrear of business at present remaining undisposed of in your office; and if so, what is the amount of such arrear?

There is a very considerable arrear of business at present remaining undisposed of in my office, but from the circumstances hereinafter mentioned, I am unable to state the amount of such arrear.

Of the cases remaining undisposed of, a considerable number remain uncertified, though taxed, waiting for the production of some few vouchers or documents. In these cases the delay is the fault of solicitors themselves. In other cases some progress, more or less, has been made in the taxation, but the cases have been adjourned for some reason or other, and the taxation would be concluded in a short time if the solicitors applied to have them re-entered in my list; but there remain a considerable number in which no progress has been made in the taxation of these, in all probability (judging from past experience), a considerable number, for one reason or another, will not be brought forward at all, but there will still remain a large number to be taxed, which properly may be considered as the real arrear of my office.

2. Is there any delay at present in your office in obtaining the taxation of a Bill of Costs, by reason of the pressure of business there?

There is certainly a considerable delay at present in my office in obtaining the taxation of a Bill of Costs by reason of the pressure of business, which is unavoidable.

With respect to the general arrear of business in "the Taxing Office," I beg leave to refer to a separate paper signed by me and my two colleagues, sent herewith.

PAPER No. 11.

Answers of the Taxing Masters of the Court of Chancery.

Answers of John O'Dwyer, Esq.

3. Have you taxed Bills of Costs of proceedings to a sale under the 15th section of the Chancery Regulation Act; if so, can you state the amount to which such costs tax between party and party in an average case?

I have been unable to find any Bill of Costs of proceedings to sale under the 15th section of the Chancery Regulation Act, taxed by me, save one, namely, the case of "*Murphy and others, Petitioners; Meredyth and others, Respondents,*" and that was the case of a sale of a rent-charge arising out of lands, and not a sale of the lands themselves.

In that case the amount of the Bill, as certified, was £105 11*s.* 11*d.*

	£	*s.*	*d.*
The Chancery Fund Stamps, . .	7	5	6
Office Fees, ...	18	5	5
	£25	10	11

JOHN O'DWYER.

Answers of Edward Tandy, Esq.

ANSWERS of EDWARD TANDY, Esq.

1. Is there any arrear of business at present remaining undisposed of in your office; and if so, what is the amount of such arrear?

There is no arrear in my office in short causes, such as bills containing not more than about 200 items; there is an arrear in long causes, but it is not by any means considerable, where parties have issued summonses and are ready to proceed.

2. Is there any delay at present in your office of obtaining the taxation of a Bill of Costs by reason of the pressure of business there?

There certainly is a delay, to a certain extent, in procuring the taxation of Bills of Costs, occasioned by the pressure of business in the office, and in many cases the delay is occasioned by the neglect of the solicitors in not attending, and frequently not being prepared to proceed effectually when they do attend, and thus much time is wasted; but as to the general arrear in the office, and the causes which have produced it, I beg leave to refer to a separate statement signed by myself and my two colleagues, and which is forwarded by the senior Taxing Master.

3. Have you taxed Bills of Costs of proceedings to a sale under the 15th section of the Chancery Regulation Act; if so, can you state the amount to which such costs tax between party and party in an average case?

I find, on searching carefully through the books from the commencement of the year 1853, that I only taxed one Bill of Costs of proceeding to a sale under the 15th section of the Chancery Regulation Act, and which was in the cause of *Hatchell* v. *Chancellor.* This bill was taxed as between party and party, to the sum of £348 5*s.* 4*d.* Very few cases appear in our books in which sales were had under the 15th section, and I do not think any cases of the kind would appear in our books anterior to the year 1853.

In this case, which was thus taxed by me, peculiar circumstances occurred which made the costs much heavier than they would be in an ordinary case, and which I think it right to mention. The cause was originally set down under the 15th section, but the respondent appeared at the first hearing, and insisted on his right to be heard, and the cause was then directed to be set down as a general cause petition, which led to two additional hearings and an examination of witnesses, and there was also a motion and appointment of a receiver; all this led to an increased expense of upwards of £80; and at the last hearing, before the Lord Chancellor, the respondent did not appear, and the case was sent to the Master's Office to be disposed of as under the 15th section. Then when the property came to be sold, the sale was adjourned *twice* for want of bidders. Those two adjournments, including advertisements, increased the costs to the extent of about £55.

The proportions of the foregoing bill, which consisted of Chancery Fund Stamps and Office Fees, is as follows:—

	£	*s.*	*d.*
Chancery Fund Stamps, . . .	21	0	6
Office Fees, ...	22	0	11

EDWARD TANDY.

Answers of Thomas Reilly, Esq.

ANSWERS of THOMAS REILLY, Esq.

1. Is there any arrear of business at present remaining undisposed of in your office; and if so, what is the amount of such arrear?

2. Is there any delay at present in your office in obtaining the taxation of a Bill of Costs by reason of the pressure of business there?

For an answer to these questions I refer to the document sent herewith, and signed by the three Taxing Masters of the Court.

3. Have you taxed Bills of Costs of proceedings to a sale under the 15th section of the Chancery Regulation Act; if so, can you state the amount to which such costs tax between party and party in an average case?

I find I have taxed four Bills of Costs of proceedings towards, and for, a sale of lands, under the 15th section of the Chancery Regulation Act, since the beginning of the year 1853, the amount and other particulars of each of which I have stated in a schedule annexed.

There is a large number of Bills of Costs lying in the office uncertified, all of which I believe I have read and noted, and taxed in primary manner, and they await only to be brought by the solicitors into my day-list. There must be naturally some pressure by individuals ready and desirous to obtain a taxation of their costs, but I do not think that

the arrear is of an inordinate character. The arrear in my short-list (that is, cases containing 200 items or thereabouts), is, I believe, very light. There is, occasionally, a delay in the business of the office, the principal cause of which, as to that portion of the costs remaining untaxed, and which the parties may be desirous to have taxed, is owing to the non-attendance of the solicitors and clerks whose costs are in the list, and their unpreparedness when they do attend; every day I am obliged to strike out or postpone cases from these causes. If due diligence and attention were exercised by the solicitors before coming in to tax, and proper attendance given on the taxation, a great deal more business would be done, and the arrear, if any, would be very trifling.

SCHEDULE referred to in the foregoing Answers.

Leonard v. *Hartwell*—PETITIONER'S COSTS,

Comprising Application by Petition and Order thereon, proceeding in the Master's office, by charge and discharge, and sale.

	£	s.	d.
Costs of the petition and application to the Court,	8	2	0
„ of the proceedings in the Master's office up to the order for a sale,	22	15	0
„ of the sale, including order for sale, and evidencing title to the purchaser,	35	14	0
Costs of taxation of the petitioner's costs in this matter,	5	7	0
Amount certified for,	£71	18	0

Amount of Chancery Fund Stamps and Office Fees charged in said Bill, and allowed on taxation, viz.—

	Chancery Fund Stamps. £	s.	d.	Office Fees. £	s.	d.
In the costs of the application,	0	2	6	0	13	6
In the Master's office up to the order for sale,	2	1	6	0	12	6
In same, on the sale,	4	12	6	1	7	10
On taxation of this Bill of Costs,	2	10	6	0	3	6
Totals,	£9	7	0	£2	17	4

Exclusive of the above stamps and fees, a sum of £1 was paid by the petitioner for a search in the General Registration Office for making out title, and allowed on taxation, and included in general amount.

Blakeney v. *Doyle*—PETITIONER'S COSTS.

	£	s.	d.
Costs of the petition and application to the Court,	13	7	4
N.B.—This class includes the costs of an order to substitute service.			
Costs in the Master's office up to order for sale,	31	19	9½
„ of the sale and evidencing title to the purchaser,	56	18	5
„ of taxation,	6	7	9
Net amount certified for,	£108	13	3½

Amount of Chancery Fund Stamps and Office Fees charged in said Bill, and allowed on taxation, viz.—

	Chancery Fund Stamps. £	s.	d.	Office Fees. £	s.	d.
In the costs of the application,	0	5	0	2	1	5
In the Master's office up to sale,	0	15	6	0	16	5½
In same, on the sale,	2	16	0	2	6	11
On taxation of this Bill of Costs,	2	16	10	0	7	6
	£6	13	4	£5	12	3½

Geoghegan v. *Reilly*—PETITIONER'S COSTS.

In this case no sale was actually had; the proceedings were carried up to and including postings for a sale; the additional costs (in an ordinary case) would be the attendance at the sale; copy abstract of title for the purchaser, evidencing the title, and procuring execution of the deed of conveyance.

	£	s.	d.
Costs of petition and application to the Court,	11	15	4
„ of proceedings in the Master's office up to the order for sale,	27	6	4
N.B.—This class includes the costs of the appointment of a receiver.			
Costs of the proceedings towards a sale, (including order for sale),	61	5	8
„ of taxation of this Bill of Costs,	5	9	10
	£105	17	2

PAPER No. 11.

Answers of the Taxing Masters of the Court of Chancery.

Answers of Thomas Reilly, Esq.

Amount of Chancery Fund Stamps and Office Fees charged in said Bill, and allowed on taxation, viz.—

	Chancery Fund Stamps. £	s.	d.	Office Fees. £	s.	d.
In costs of the application,	0	2	6	1	3	9
In the Master's office up to the order for a sale,	2	9	6	2	19	0
In same, on the sale,	3	3	0	2	15	2
Of taxation,	2	16	0	0	4	6
	£8	11	0	£7	2	5

Cole v. *Garde*—PETITIONER'S COSTS.

In this case no sale was actually had; the proceedings were carried up to and including postings for a sale; the additional costs (in an ordinary case) would be the attendance at the sale; copy abstract of title for the purchaser; evidencing the title, and procuring execution of the deed of conveyance.

	£	s.	d.
Costs of petition and application to the Court,	19	6	10
„ of proceedings in the Master's office up to the order for sale,	45	14	11
N.B.—This class includes the costs of the appointment of a receiver.			
Costs of proceedings towards a sale, (including costs of order for sale),	27	14	10
„ of taxation of this Bill of Costs,	5	12	4
	£98	8	11

Amount of Chancery Fund Stamps and Office Fees charged in said Bill, and allowed on taxation, viz.—

	Chancery Fund Stamps. £	s.	d.	Office Fees. £	s.	d.
In costs of the application,	0	2	6	1	0	10
In the Master's office up to the order for a sale,	1	0	6	2	0	6
In same on the sale,	2	7	0	0	13	0
Of taxation,	2	16	6	0	4	6
	£6	6	6	£3	18	10

THOMAS REILLY.

Memoranda annexed to the Answers of the three Taxing Masters of the Court of Chancery in Ireland.

MEMORANDA annexed to the Answers of the three Taxing Masters of the Court of Chancery in Ireland, to Questions 1 and 2, in Paper No. 11.

With respect to the general arrear of the office, and the pressure of business therein, such has been caused by the following circumstances:—

When the office was first formed, in 1845, there were upwards of 1,000 untaxed Bills of Costs, amounting to about £150,000, handed over by the four Masters in Ordinary, and when the Taxing Office opened, there was a very great influx of business into it, and at that time, commencing with such a heavy arrear, there was only one Taxing Master, with one assistant.

Then, in 1850, the Equity Jurisdiction of the Court of Exchequer was abolished, and the business transferred to the Court of Chancery, when a great number of untaxed Bills of Costs were handed over to this office; and with those and the other Bills of Exchequer Costs, lodged in the office, from August, 1850, to 1st January, 1851, the number of untaxed Bills thus lodged was about 100, amounting to £11,500; and Bills of Costs for business done in that Court previous to 1850, have since been lodged in this office, of which there have been taxed 529 Bills, amounting to £65,231 11*s.* 7*d.*; and similar Bills continued to come into the office, as suits are finally decided by the Lord Chancellor, and which were instituted in the Court of Exchequer many years since.

In addition to this, the operations of the Incumbered Estates Court have considerably augmented the pressure of business in this office; a vast number of suits, both in Chancery and Exchequer, were stopped by the proceedings of that Court, the costs of which were required to be taxed at once, but which, in the ordinary course, would only come in from time to time, as decrees should be pronounced in the respective suits by the Court of Chancery.

This has, for the last three years, caused a great increase of business and pressure in the office, having thus to tax at once, what otherwise would be the business of future years.

Still, notwithstanding this great pressure, we have been enabled, by persevering exertion, and by working at home, as well as during office hours, to tax each year's costs nearly to the same amount as that which was lodged for taxation during the years.

PAPER No. 11.

Memoranda annexed to the Answers of the three Taxing Masters of the Court of Chancery in Ireland.

The following return will show the amount of costs lodged in each year for the last four years, and the amount taxed for the same period:—

STATEMENT OF BILLS LODGED AND TAXED IN 1851, 1852, 1853, 1854.

	Bills.	Amount. £	s.	d.		Bills.	Amount. £	s.	d.
1851, . .	2,697	246,314	18	2	1851, . .	2,146	186,337	13	0
1852, . .	2,349	183,219	11	10	1852, . .	1,999	201,291	11	7
1853, . .	2,070	202,910	18	8	1853, . .	2,039	176,171	16	5
1854, . .	2,008	161,582	18	1	1854, . .	1,956	174,700	18	8
	9,124	794,028	6	9		8,140	738,501	19	8
Deduct amount taxed as per opposite page, .	8,140	738,501	19	8	Amount taxed more than lodged for the year, . .		18,071	19	9
					Like, ...		16,118	0	7
Arrears in Bills for these four years, the particulars of which are as follows, . .	984	55,526	7	1	Total excess taxed over amount lodged, . . .		34,190	0	4
Arrears in Bills, . 1851	551	59,977	5	2					
„ 1852	350	—							
„ 1853	31	26,739	2	3					
„ 1854	52	—							
	984	86,716	7	5					

The arrear which would appear in this return cannot be considered as a fair return of the actual arrears in the office, as we can only include in this return the amount of costs appearing by our books to have been certified; but it frequently happens, that after a Bill of Costs is taxed, and ready to be certified, (with, perhaps, in some instances only, some few queries to be discharged), the parties arrange the amount, and the costs are settled; or the party finds there are no funds to reach or meet his demand, and for many other causes costs are lodged, but before any summons issues, the costs are settled; and frequently after summons has issued, and before any taxation takes place, the costs are either settled or abandoned, and the bills remain in this office as untaxed bills; and thus costs to a very considerable amount remain in this state in the office, and which of course do not properly form any portion of the real arrear in the office, but the amount of costs thus circumstanced it would not be possible for us at present to supply, but we may safely infer, that for the last three years, we have disposed of business to the full extent of the business brought into the office for the same period, if not more, but of course a portion of the business thus done was applicable to the previous arrear in the office.

JOHN O'DWYER.
EDWARD TANDY.
THOMAS REILLY.

PAPER No. 4.

A Return of the Number of Appeals, &c.

PAPER No. 4.—A RETURN of the NUMBER of APPEALS from the Incumbered Estates Court to the Privy Council, up to the 9th January, 1855, with the Names of the Parties, and the result of each Appeal.

No.	Appeal of	In the matter of the Estate of	Decision or Order appealed against.
1	Joseph Kinsly, .	John Mac Loughlin and Dominick John Mac-Loughlin, .	Order reversed.
2	Joseph H. Ridge, .	William Dudley Persse, .	Order reversed.
3	Thomas Pemberton, .	Thomas Jessop, .	Appeal dismissed.
4	Rose A. M'Loughlin and others,	Patrick M'Loughlin, .	Appeal dismissed without prejudice.
5	John D'Arcy, .	Hyacinth D'Arcy, .	Appeal dismissed.
6	Rev. J. P. Leahy and others,	John James Bodkin, .	Appeal dismissed.
7	Rev. E. Biron, and E. Watts, .	J. W. Morris Wall, .	Appeal dismissed.
8	Thomas Power and others, .	Pierce Power and others,	Appeal dismissed.
9	Michael O'Brien, .	Thomas Henry O'Dell, .	Appeal dismissed.
10	Eleanor Rowan, .	Thomas B. Huthwaite, .	Appeal dismissed.
11	John Stouppe Charley, .	Arthur N. Wrixon, .	Order reversed.
12	Venerable J. H. Singer, .	E. B. Thornhill, .	Appeal dismissed.
13	William Hannan, .	Walter John Carew, .	Order reversed.
14	J. W. Murphy, .	Owen Connell and Owen Connell, .	Appeal dismissed.
15	Mary Foster, .	Wm. Alex. Williams Ker,	Referred back.
16	Edward Thompson, .	Joseph Robbins, .	Appeal dismissed.
17	Richard Gradwell, .	John N. Blake, .	Appeal dismissed.
18	Corporation for preserving and improving the Port of Dublin, . .	Richard Williams, .	Order affirmed and Appeal dismissed.
19	The Northern Banking Company	Henry Love, . .	Order partly reversed.
20	Henry Love, . .	Henry Love, . .	Order partly reversed.
21	John Hely Owen, and Rev. E. Kavanagh, .	Lawrence Webb Nolan, .	Order reversed and Appeal confirmed.

PAPER No. 4.

A Return of the Number of Appeals, &c.

A RETURN of the NUMBER of APPEALS from the Incumbered Estates Court to the Privy Council, up to the 9th January, 1855, with the Names of the Parties, and the result of each Appeal—*continued.*

No.	Appeal of	In the matter of the Estate of	Decision or Order appealed against.
22	Timothy Blake Egan,	Timothy Blake Egan,	Order affirmed and Appeal dismissed.
23	Thomas O'Shaughnessy,	William Kelly Wilton,	Order affirmed and Appeal dismissed.
24	Xaverius Blake,	Walter Blake,	Order affirmed and Appeal dismissed.
25	George Eakins Browne,	George Eakins Browne,	Order reversed and Appeal confirmed.
26	Joseph Dullaghan,	William Cairnes, assignee of John Derepas,	Order affirmed and Appeal dismissed.
27	Thomas Byrne,	Assignee of William and Lawrence Monaghan,	Order reversed and Appeal confirmed.
28	Dillons, (Minors),	Hercules Robinson,	Order affirmed and Appeal dismissed.
29	The Guardians of the Poor of Tipperary Union,	Trustees of Settlement of Vere Dawson Hunt,	Order affirmed and Appeal dismissed.
30	The Guardians of the Poor of Mohill Union,	Acheson O'Brien,	Order affirmed and Appeal dismissed.
31	The Guardians of the Poor of Clifden Union,	John Augustus O'Neill,	Order affirmed and Appeal dismissed.
32	Anne Mary Jennings,	Richard Jennings,	Order reversed.
33	Martin and Nicholas Mahony,	Richard Lalor,	Order affirmed and Appeal dismissed.
34	Dorothea Putland,	William Graydon,	Order affirmed and Appeal dismissed.
35	John Drew Atkin,	James Foott,	Order affirmed and Appeal dismissed.
36	Thomas Byrne,	Assignee of William and Lawrence Monahan,	Order affirmed and Appeal dismissed.
37	William J. F. Ryves,	William Ryves,	Order reversed.
38	Benjm. Lee Guinness, William Todd, and others,	Trustees of the Estate of the late Earl of Blessington,	Order reversed.
39	Thomas Elder Henry, James Henry, and others,	The Same.	Order reversed.
40	Bernard William Bagot,	Mary Anne Mitchell,	Order reversed.
41	William Beere Fox,	Arthur Samuel Judge, and William Despard,	Order reversed.
42	George Gowan,	Assignee of Sir Thomas Howland Roberts,	Order reversed.
43	Eleanor Davies and others,	Geoffrey Davies,	Order reversed.
44	John Busteed,	Ellen Connor,	Order affirmed.
45	Mary Cockburn,	William Phibbs,	Order reversed.
46	Matthew Brinkley,	William Graydon,	Order reversed.
47	Rev. E. Moore and others,	Henry Moore,	Order reversed.
48	Theobald Billing,	James and Mary Joyes,	Order affirmed.
49	Theobald Billing,	Edmund J. Concannon and others,	Order affirmed.
50	John Prendergast,	Francis Kelly and James Egan,	Order affirmed.
51	Selina and Isabella O'Dell,	Selina and Isabella O'Dell,	Order reversed.
52	Richard Smithwick,	R. Butler Hamilton Lowe,	Order affirmed.
53	Harriett Wyse,	George Wyse and others,	Order affirmed.
54	Wm. V. Fitzgerald Hickman,	William. V. Fitzgerald Hickman,	Order affirmed.
55	Loftus Henry Bland,	Earl of Aldborough,	Order affirmed.
56	Executors of John Staunton,	Mary Jane Grady,	Order reversed.
57	Thomas Ponsonby Carew,	Thomas Ponsonby Carew,	Order reversed.
58	Anne Mary Jennings,	Richard Jennings,	Order reversed.
59	Thomas Samuel Snagg,	John Henry Keogh,	Order affirmed.
60	Alexander Lang,	John Baker,	Order affirmed.
61	James M'Fadden,	John Baker,	Order affirmed.
62	John Chapman Judge,	John Chapman Judge,	Appeal dismissed [by consent.]
63	George Hassard,	Dominick Lopdell,	Order reversed.
64	Mary Cockburne,	William Phibbs,	Order affirmed.
65	Vicars Choral of St. Patrick's Cathedral,	Lawless and others,	Order affirmed.
66	Adam John Macrory,	Assignee of Rev. Gus. Warner,	Stand over generally, having been fully heard.
67	Arthur L. Annesley,	Christopher O'Brien and others.	Order reversed.

PAPER No. 2.

Returns required from the Incumbered Estates Court.

PAPER No. 2.—RETURNS required from the INCUMBERED ESTATES COURT.

First—a Return specifying

1. The total number of petitions presented since the institution of the Court to the last day of December, 1854, showing the number in each month during the period.
2. The number of cases in which sales have taken place.
3. The gross amount produced by sales.
4. The amount distributed by payments and credits.
5. The amount now remaining undistributed.
6. The number of cases not finally wound up and completed.

Secondly:— PAPER No. 2.

A Return of the names of all cases now pending, and in which any thing remains to be done. This Return to be made out in chronological order, commencing with the earliest case which is not yet finally disposed of, and continued to the present time, specifying in each case the dates and particulars as in the tabular form annexed, viz.:— Returns required from the Incumbered Estates Court.

Name of Case and Solicitor's Name.	Date of presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.

Date of lodging Abstract.	Date of direction of Searches by Commissioner.	Date of settling Rental.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.

ANSWERS of the SECRETARY of the INCUMBERED ESTATES COURT to Questions in Paper No. 2. Answers of the Secretary of the Incumbered Estates Court.

1. The total number of Petitions presented since the institution of the Courts to the last day of December, 1854, showing the number in each month during that period:—

1849, October (first petition 21st October),	17	1852, July,	33
„ November,	137	„ August,	28
„ December,	119	„ September,	22
1850, January,	129	„ October,	39
„ February,	126	„ November,	38
„ March,	126	„ December,	64
„ April,	99	1853, January,	39
„ May,	135	„ February,	43
„ June,	115	„ March,	30
„ July,	82	„ April,	54
„ August,	106	„ May,	33
„ September,	64	„ June,	55
„ October,	73	„ July,	44
„ November,	82	„ August,	8
„ December,	63	„ September,	20
1851, January,	68	„ October,	27
„ February,	59	„ November,	63
„ March,	78	„ December,	37
„ April,	53	1854, January,	34
„ May,	74	„ February,	50
„ June,	39	„ March,	32
„ July,	42	„ April,	40
„ August,	43	„ May,	41
„ September,	28	„ June,	31
„ October,	47	„ July,	30
„ November,	54	„ August,	12
„ December,	42	„ September,	19
1852, January,	33	„ October,	33
„ February,	51	„ November,	24
„ March,	36	„ December,	26
„ April,	32		
„ May,	50	TOTAL,	3,405
„ June,	54		

2. The number of cases in which sales have taken place, 1,448.

3. The gross amount produced by sales, £14,133,105 19*s.* 10*d.*

4. The amount distributed by payments and credits, £11,235,489 18*s.* 9*d.*

5. The amount now remaining undistributed, £2,194,910 13*s.* 3*d.* This sum does not include a sum of about £702,707 7*s.* 10*d.* purchase money not yet lodged, and what may be allowed for provisional credits.

6. The number of cases not finally wound up and completed, 1,633.

HENRY CAREY.

PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done, commencing with the earliest Case which is not yet finally disposed of, and continued to the 31st December, 1854, pursuant to the directions of the Commissioners of Inquiry into the Incumbered Estates Commission.

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
Hercules B. Brabazon,	William Cullen,	Oct. 31, 1849	4,361 4 0	65,748 0 0	Nov. 9, 1849	Nov. 27, 1849	June 4, 1851	—	Aug. 11, 1851 Dec. 2, 1851 Nov. 2, 1852 Jan. 14, 1853	October, 1854	—
Nathaniel Alexander,	R. Crookshank,	Nov. 1, 1849	Unknown to Petitioner	58,279 0 0	Nov. 3, 1849	Nov. 28, 1849	October, 1850	Feb. 8, 1851	May 27, 1851 Nov. 3, 1854	Aug. 14, 1851	Nov. 17, 1851
Elizabeth Elr. Bingham,	E. Jones,	Nov. 2, 1849	80 9 2	3,919 0 0	Nov. 6, 1849	Jan. 24, 1850	Aug. 6, 1852	Dec., 1853	Nov. 4, 1853	Dec., 1854	—
Henry M. Morgan,	Billing and Co.,	Nov. 2, 1849	918 19 9	13,109 0 0	Nov. 2, 1849	Nov. 24, 1849	—	Mar. 3, 1852	July 16, 1852 Dec. 6, 1853 Dec. 5, 1854	—	—
Robert Wheley,	Cooke & Larkin,	Nov. 5, 1849	3,609 0 2	55,292 11 0	Dec. 1, 1849	Jan. 4, 1850	—	Jan. 8, 1852	Jan. 13, 1852 Nov. 3, 1853	Aug. 6, 1852	Dec. 13, 1852
John B. Taylor,	Leonard Morrogh,	Nov. 7, 1849	1,071 18 2	20,337 4 5	Nov. 7, 1849	Dec. 3, 1849	January, 1851	April, 1851	Jan. 21, 1853	May 21, 1853	Oct. 20, 1853
Geoffry Davies,	James D. Meldon,	Nov. 8, 1849	355 0 3	13,155 7 7	Feb. 7, 1850	Mar. 23, 1850	—	Mar. 27, 1852	Jan. 27, 1852 June 7, 1853	June 22, 1852	June 28, 1853
Thomas Phillips,	J. B. Kennedy,	Nov. 9, 1849	125 1 3	37,836 0 0	Mar. 21, 1851	April 15, 1851	—	—	May 24, 1852	—	—
Sir A. Chichester,	H. Wrenfordsley,	Nov. 9, 1849	2,213 6 0	80,352 0 10	Nov. 13, 1849	Nov. 30, 1849	August, 1850	Jan. 27, 1851	Oct. 29, 1850 June 3, 1851 Dec. 23, 1851	June, 1852	July 26, 1852
Josh. and Alex. Cairncross,	Henry Baggs,	Nov. 13, 1849	585 6 4	5,478 3 3	Nov. 17, 1849	Dec. 21, 1849	—	May 14, 1850	May 14, 1850 Dec. 3, 1850	Mar. 21, 1851	May 19, 1851
James William Wall,	Leonard Morrogh,	Nov. 14, 1849	3,358 13 5	48,932 19 3	Nov. 14, 1849	Dec. 18, 1849	—	Nov. 14, 1850	Nov. 12, 1850 Nov. 21, 1850 May 25, 1852	Jan. 14, 1853	May 2, 1853
Earl of Portarlington,	D. & T. Fitzgerald,	Nov. 14, 1849	33,000 0 0	700,000 0 0	Nov. 16, 1849	Dec. 18, 1849	—	May 26, 1853	Various sales from Aug. 9, 1850 to Jan. 16, 1855	Jan. 10, 1855	—
Edward D. Freeman,	F. H. Tuckey,	Nov. 16, 1849	3,530 16 10	61,973 6 8	Nov. 16, 1849	Dec. 18, 1849	May, 1850	June, 1850	June 4, 1850 June 18, 1850 Jan. 24, 1851	February, 1853	Mar. 3, 1853
W. Morris, or De Montmorency,	J. B. Kennedy,	Nov. 16, 1849	2,117 10 1	52,198 0 2	Nov. 17, 1849	Dec. 7, 1849	June, 1850	June, 1850	Nov. 5, 1850 Mar. 19&22, 1852	Aug. 19, 1850	Nov. 1, 1850
Elizabeth Power,	A. Smith,	Nov. 16, 1849	82 0 0	3,070 5 0	Nov. 20, 1849	Dec. 20, 1849	Oct. 22, 1851	May 5, 1853	Aug. 9, 1850 March 4, 1853	May 20, 1853	June, 1854	Dec. 18, 1854
E. Malony, C. Kelly, and Others,	John Ryan,	Nov. 17, 1849	377 1 4	4,170 0 0	Nov. 30, 1849	Dec. 21, 1849	May, 1850	July 20, 1850	July 30, 1850	Nov. 1, 1850	Dec. 8, 1850
William Samuel Hyde,	John Dickinson,	Nov. 17, 1849	639 3 0	25,384 11 6	Nov. 17, 1849	Dec. 4, 1849	May, 1850	June, 1850	July 9, 1850	—	—

John James Bodkin,	R. C. M'Nevin,	Nov. 17, 1849	Unknown to Petitioner	19,289 6 11	Nov. 19, 1849	Dec. 4, 1849	June, 1850	July 20, 1850	Aug. 6, 1850 Dec. 3, 1850 April 5, 1851	Nov., 1850	May 20, 1851
John and George Studdert,	J. Ferguson,	Nov. 17, 1849	1,089 2 1	14,905 16 11	Nov. 19, 1849	Jan. 25, 1850	May 29, 1854	—	—	—	—
John O'Callaghan,	W. H. M'Grath,	Nov. 17, 1849	372 9 4	14,154 12 9	Jan. 21, 1850	Feb. 16, 1850	October, 1850	Dec. 12, 1850	Dec. 6, 1850 Mar. 18, 1851 Oct. 22, 1851	February, 1851	Mar. 21, 1851
Henry M. F. Goold,	Barrington & Co.,	Nov. 17, 1849	2,279 3 4	51,357 12 8	Nov. 21, 1849	Dec. 14, 1849	—	Sept. 9, 1852	Aug. 9, 1852 July 12, 1853	May 20, 1853	July 1, 1853
George Rutledge,	J. D. Meldon,	Nov. 19, 1849	1,286 7 8	68,031 17 10	Nov. 20, 1849	Dec. 18, 1849	—	Mar. 13, 1851	April 6, 1852 July 6, 1852	May 13, 1852	June 14, 1852
John M'Laughlin,	P. M'Laughlin,	Nov. 19, 1849	386 15 5	8,925 4 1	Nov. 19, 1849	Dec. 7, 1849	—	May 21, 1850 May 30, 1850	Various sales from July 16, 1850 to Oct. 2, 1854	April 16, 1851	June 9, 1851
Lord Oranmore and Brown,	Barrington & Co.,	Nov. 20, 1849	4,900 13 11	201,623 11 3	Nov. 20, 1849	Dec. 12, 1849	—	April 6, 1852	May 25, 1852 July 12, 1853	Feb. 17, 1854	May 22, 1854
Justin and R. M'Carthy,	Orpen and Co.,	Nov. 24, 1849	6,110 2 4	53,399 3 2	Nov. 24, 1849	Dec. 19, 1849	Oct. 29, 1850	Jan. 25, 1851	Aug. 7, 1851 Mar. 19, 1852 Mar. 8, 1852 July 8, 1852	February, 1852	April 26, 1852
Earl of Aldborough,	William Lewis,	Nov. 24, 1849	2,629 1 7	151,478 10 8	Nov. 24, 1849	Jan. 11, 1850	Nov. 26, 1850	Nov. 12, 1851	—	—	—
Thomas Lewin, Assignee C. Lewin,	A. R. Symes,	Nov. 26, 1849	523 4 3	7,438 16 2	Nov. 27, 1849	Dec. 15, 1849	—	Mar. 18, 1851	Oct. 23, 1851	Mar. 20, 1854	May 9, 1854
Daniel M'Nevin,	James Campbell,	Nov. 27, 1849	463 9 8	12,879 0 0	Nov. 27, 1849	Dec. 24, 1849	—	Jan. 23, 1854 Dec. 19, 1853	Dec. 13, 1853	June 1, 1854	Nov. 6, 1854
D. D. Power and T. E. Davenport,	William Dalton,	Nov. 29, 1849	657 11 7	18,123 0 0	Nov. 29, 1849	Dec. 20, 1849	Aug. 6, 1852	Nov. 24, 1853	May 9, 1854	Dec. 15, 1854	—
Lawrence W. Nolan,	P. A. Smith,	Nov. 30, 1849	188 13 11	1,145 10 3	Nov. 30, 1849	Jan. 28, 1850	—	Dec. 31, 1850	July 9, 1851	Dec. 22, 1851	Feb. 2, 1852
Trevor Lloyd Ashe,	J. B. Kennedy,	Dec. 4, 1849	1,609 0 8	32,162 16 3	Dec. 4, 1850	Dec. 29, 1850	—	Mar. 31, 1851	Feb. 14, 1854 May 2, 1854	Jan. 25, 1855	—
Pierce Power,	William Butler,	Dec. 5, 1849	958 14 3	32,559 0 0	Dec. 5, 1849	Dec. 21, 1849	—	Nov. 28, 1853	Nov. 1, 1852	—	July 10, 1854
Sir R. B. St. George, Bart.,	Irwin and Reid,	Dec. 6, 1849	860 5 4	55,724 14 9	Dec. 7, 1849	Jan. 21, 1850	Jan. 21, 1851	Dec. 24, 1851	Nov. 14, 1851 April 23, 1852	Dec., 1852	May 9, 1853
Thomas Towers,	J. S. Abbott,	Dec. 7, 1849	1,036 4 8	16,329 14 1	Dec. 8, 1849	Jan. 5, 1850	Jan. 6, 1851	July 15, 1852	June 11, 1852 July 27, 1853	July, 1853	Dec. 23, 1853
Walter Otway Herbert,	J. T. Armstrong,	Dec. 8, 1849	111 6 0	6,463 19 6	Dec. 8, 1849	Dec. 24, 1849	—	Mar. 16, 1852	Mar. 2, 1852	Dec. 16, 1852	Feb. 1, 1853
John Prendergast,	N. C. D'Arcy,	Dec. 10, 1849	336 14 11	3,499 5 5	Dec. 10, 1849	Feb. 20, 1850	Oct. 15, 1852	Aug. 11, 1852	June 25, 1852	March, 1853	July 26, 1853
Robert H. Eyre,	Robert Morrogh,	Dec. 11, 1849	4,915 14 9	37,057 15 7	Dec. 12, 1849	Feb. 13, 1850	Oct. 22, 1852	Aug. 11, 1852	May 28, 1850 Nov. 24, 1854	Aug. 2, 1853	Nov. 21, 1853
Barry Collins,	Stokes & Creagh,	Dec. 12, 1849	318 6 1	5,681 1 2	Dec. 13, 1849	Jan. 8, 1850	Feb. 21, 1852	Dec. 22, 1852	Dec. 19, 1851	—	—
W. H. Letham and Another,	A. H. Middleton,	Dec. 15, 1849	255 13 0	5,799 6 4	Dec. 17, 1849	Jan. 9, 1850	May, 1850	May, 1850	July 9, 1850 June 4, 1850 Oct. 27, 1854	Nov., 1850	Dec. 19, 1850
Elizabeth Cuthbert,	J. Robinson,	Dec. 15, 1849	427 10 0	3,681 12 0	Dec. 17, 1849	Jan. 29, 1850	April, 1850	May, 1850	Nov. 19, 1850 May 3, 1854 May 12, 1854	Jan. 16, 1851	Feb. 22, 1851
Francis Drew,	W. Evans,	Dec. 15, 1849	1,722 2 11	8,314 6 1	Dec. 17, 1849	Jan. 11, 1850	June 2, 1851	Mar. 19, 1852	Jan. 27, 1854	July 7, 1854	Dec. 4, 1854

PAPER No. 2.

Return of the Name of all Cases now pending before the Commissioners.

PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
Eliza Farren, . . .	R. T. Harvey, .	Dec. 18, 1849	210 6 6	2,300 0 0	Dec. 19, 1849	Feb. 4, 1850	May 11, 1853	Nov., 1853	Aug. 1, 1853	Dec., 1854	—
William Cox, . . .	Irwin and Reid, .	Dec. 19, 1849	375 15 9	4,938 14 0	Dec. 24, 1849	Feb. 2, 1850	July, 1850	July, 1850	Dec. 7, 1850 Feb. 6, 1852 Dec. 10, 1852 Nov. 4, 1853	April, 1851	July 9, 1851
John and James Blake, .	Patrick Nolan, .	Dec. 20, 1849	940 2 5	24,098 17 1	Jan. 7, 1850	Feb. 12, 1850	Mar. 30, 1853	Mar. 17, 1851 May 31, 1853	Nov. 11, 1851 Nov. 4, 1851 April 27, 1852	June 8, 1854	Nov. 13, 1854
William E. Heyden and Another,	John R. Byrne, .	Dec. 20, 1849	498 19 6	6,400 0 0	Jan. 26, 1850	Feb. 13, 1850	April, 1850	July, 1850	May 28, 1850	Fund transferred to Chancery,	—
Henry Martin Blake, .	Thos. E. Cusack,	Dec. 22, 1849	614 11 2	14,932 0 11	April 27, 1850	May 20, 1850	—	Jan. 13, 1852	Jan. 13, 1852 Jan. 16, 1855	May 14, 1852	June 21, 1852
Frederick M. Callaghan, .	M. Greene, .	Dec. 22, 1849	3,419 12 2	114,613 9 4	Jan. 9, 1850	Feb. 7, 1850	May, 1850	July, 1850	Aug. 22, 1851 July 8, 1853	May 21, 1850	Oct. 25, 1850
Gerald Francis Walsh, .	Smith&Whitestone	Dec. 24, 1849	118 12 4	1,410 6 7	Jan. 10, 1850	Feb. 21, 1850	July 10, 1851	Dec. 10, 1852	June 13, 1854 June 20, 1854 July 6, 1854	July 25, 1854	Jan. 15, 1855
Frederick Hamilton, . .	R. H. M'Donnell,	Dec. 24, 1849	1,470 5 4	13,264 18 10	Jan. 10, 1850	Feb. 11, 1851	Mar. 16, 1852	Nov. 10, 1852	Nov. 16, 1852 Jan. 10, 1854	—	—
Edward Galway, . .	J. O'Sullivan, .	Dec. 24, 1849	1,593 11 6	4,115 7 8	Jan. 10, 1850	Jan. 31, 1850	Oct. 12, 1851	Jan. 8, 1852	Nov. 8, 1853	—	—
Marquess of Donegal, .	J. Wallace, .	Dec. 29, 1849	26,580 0 0	299,311 2 3	Jan. 12, 1850	Feb. 1, 1850	—	Nov. 28, 1850	April 28, 1851 Nov. 14, 1851 And different sales up to Jan. 14, 1854	—	—
William Ousley and Another,	Thomas Courtney,	Dec. 29, 1849	101 2 6	2,229 15 3	Jan. 12, 1850	Mar. 6, 1850	April, 1850	June, 1850	July 2, 1850	August, 1850	July 25, 1850
M. A. Mitchell and Another,	Samuel Walker, .	Dec. 29, 1849	259 12 0	4,515 13 6	Jan. 10, 1850	Jan. 30, 1850	May 10, 1851	Feb. 19, 1852	Jan. 16, 1852	Dec., 1852	Feb. 14, 1853
James Dillon, . . .	L. O'Shea, . .	Dec. 29, 1849	320 8 0	4,540 12 3	Jan. 12, 1850	Mar. 15, 1850	—	—	June 24, 1852	—	—
Samuel Jacob and Another,	Lloyd and Adair,	Jan. 2, 1850	706 7 1	11,915 6 6	Jan. 14, 1850	Feb. 2, 1850	Nov., 1850	January, 1851	Feb. 17, 1854 Various sales from Oct. 23, 1850 to April 25, 1851	October, 1851	Dec. 2, 1851
Edward Blake, . . .	Dix and Son, .	Jan. 2, 1850	1,053 14 6	77,683 15 8	Jan. 14, 1850	Feb. 4, 1850	Nov. 5, 1850	Dec. 2, 1852	Nov. 12, 1852	Feb. 2, 1853	June 10, 1853
Ellen Connor and Another,	Delmege and Ferguson,	Jan. 2, 1850	220 10 5	1,976 6 3	Jan. 17, 1850	May 4, 1850	Feb. 7, 1853	June 18, 1853	—	—	—
Rev. Gustavus Warner, .	J. K. Boswell, .	Jan. 2, 1850	1,134 2 1	54,367 3 2	Jan. 15, 1850	Feb. 20, 1850	—	—	—	—	—
Michael Andrew Rorke, .	Kernan & Tracey,	Jan. 4, 1850	583 8 5	12,500 0 0	Jan. 15, 1850	Jan. 26, 1850	August, 1850	October, 1850	Oct. 22, 1850	Oct. 6, 1852	Dec. 6, 1852
Dominick Lopdell, . .	O. O'Brien, .	Jan. 5, 1850	392 14 6	5,392 14 3	Jan. 17, 1850	Mar. 12, 1850	Aug. 11, 1851	May, 1852	Mar. 30, 1852	Feb. 15, 1854	April 20, 1854
William and Philip Skelton,	T. J. Purcell, .	Jan. 7, 1850	77 3 2	756 18 7	Jan. 30, 1850	Mar. 13, 1850	—	Mar. 7, 1851	Mar. 14, 1851	Nov. 17, 1851	Jan. 12, 1852
Thomas D. Evans, . .	Delmege and Ferguson,	Jan. 8, 1850	1,117 9 6	13,777 9 7	Jan. 18, 1850	Feb. 9, 1850	Nov. 26, 1850	April 9, 1851	Dec. 19, 1850 July 17, 1851	February, 1852	April 26, 1852

John Triston,	Patrick Nolan,	Jan. 8, 1850	640	19	1	12,604	16	2	Jan. 18, 1850	No absolute Order,	—		—		—		—		
Chambre Corker,	M. Callaghan,	Jan. 8, 1850	202	12	10	7,595	3	3	Jan. 18, 1850	Feb. 8, 1850	—		—		June 11, 1850 June27&28,1850		July 6, 1850		Aug. 6, 1850
Henry Joseph Harding,	George Dartnell,	Jan. 9, 1850	80	0	0	6,833	18	1	Jan. 19, 1850	Feb. 12, 1850	May, 1850		Dec., 1854		July 30, 1850		—		—
Edward Gonne Bell,	J. J. Tweedy,	Jan. 12, 1850	237	0	0	8,810	12	8	Jan. 19, 1850	Aug. 15, 1850	—		—		—		—		—
Anne Archbold,	Kernan & Tracey,	Jan. 12, 1850	351	13	0	3,081	8	9	Jan. 21, 1850	Feb. 12, 1850	Dec. 16, 1852		—		Jan. 12, 1855		—		—
Lord Oranmore,	James M'Fadden,	Jan. 15, 1850	353	2	2	177,496	14	1	Mar. 12, 1850	May 20, 1850	—		Aug. 3, 1852		July 6, 1852		April 21, 1853		June 6, 1853
Lord Oranmore,	James M'Fadden,	Jan. 15, 1850	595	11	4	178,131	12	10	April 17, 1850	May 20, 1850	—		Aug. 3, 1852		July 6, 1852		April 21, 1853		June 6, 1853
Lord Oranmore,	James M'Fadden,	Jan. 15, 1850	496	7	5	128,305	18	11	May 6, 1850	May 28, 1850	—		Aug. 3, 1852		July 6, 1852		April 21, 1853		June 6, 1853
Matthew Cooke,	J. E. Hughes,	Jan. 16, 1850	1,635	2	3	25,908	4	4	Jan. 21, 1850	Mar. 8, 1850	Mar. 22, 1851		Aug. 11, 1852		April 14, 1852 April 29, 1852		Dec. 1, 1854		—
Michael Joseph Browne,	Patrick Nolan,	Jan. 17, 1850	5,171	18	3	57,899	18	6	Jan. 30, 1850	—	—		—		—		—		—
Catherine Jane Barron,	J. B. Hearne,	Jan. 21, 1850	591	11	7	20,143	17	5	Jan. 30, 1850	Feb. 22, 1850	April 6, 1854		May 5, 1852 Dec. 8, 1853 Oct. 12, 1854		May 18, 1852 Nov. 21, 1854 Nov. 18, 1854		April 20, 1854		June 19, 1854
Charles Joseph M'Dermott,	R. P. Graham,	Jan. 23, 1850	287	14	8	6,846	10	0	Feb. 14, 1850	Mar. 23, 1850	Mar. 11, 1852		Mar. 17, 1852		Nov. 5, 1852		Mar. 5, 1854		June 26, 1854
Edward Synge,	W. H. M'Grath,	Jan. 23, 1850	1,334	1	1	25,511	0	0	Jan. 28, 1850	April 9, 1850	Decem., 1850		Dec., 1851		June 27, 1851		February, 1852		June 4, 1852
Thomas Bond and Others,	J. Fleming,	Jan. 24, 1850	2,309	1	0	29,140	0	0	Jan. 28, 1850	Mar. 9, 1850	Jan. 11, 1851		March, 1851		May 30, 1851		Nov. 28, 1851		Feb. 4, 1852
Lord Langford,	S. S. and E. Reeves,	Jan. 24, 1850	5,814	7	1	103,211	12	1	Jan. 28, 1850	Feb. 15, 1850	Nov. 5, 1850		August, 1851		July 11, 1851		Mar. 5, 1852		April 26, 1852
Richard H. H. Beecher,	Foot & Fitzsimons,	Jan. 25, 1850	3,996	8	6	41,376	19	4	Jan. 29, 1850	Feb. 27, 1850	Nov. 1, 1850		March, 1851		Oct. 20, 1851 Dec. 5, 1851 Feb. 26, 1852 Aug. 9, 1852		Jan. 10, 1853		March, 1853
Fredk. Augustus Hartford,	John Woodhouse,	Jan. 25, 1850	375	4	7	2,975	12	9	Jan. 29, 1850	Mar. 11, 1850	Nov. 11, 1850		June, 1853		July 15, 1853		Aug. 1, 1854		—
Westby Percival,	William M'Grath,	Jan. 25, 1850	562	0	0	7,039	12	6	Jan. 29, 1850	Feb. 16, 1850	Nov. 7, 1851		July 10, 1851		July 3, 1851		January, 1852		Feb. 16, 1852
Rev. Gustavus Warner,	E. Courtney,	Jan. 26, 1850	1,134	2	1	54,367	3	2	Jan. 30, 1850	Feb. 20, 1850	Dec. 2, 1850		July 10, 1851		July 3, 1852 May 20, 1853		Aug. 1854		—
George Crofts and Another,	James Lane,	Jan. 26, 1850	856	3	6	9,734	9	2	Jan. 30, 1850	—	—		—		—		—		—
John Kirkland,	J. T. Armstrong,	Jan. 26, 1850	463	17	3	4,681	11	2	Mar. 6, 1850	Mar. 25, 1851	Nov., 1850		Feb., 1851		Jan. 17, 1851		July, 1851		Nov. 1851
Earl of Kingston and Others,	L. Morrogh,	Jan. 26, 1850	20,503	11	9	362,946	14	10	Jan. 30, 1850	April 26, 1850	—		April 9, 1851 April 1, 1852 July 4, 1850		June, 1850, and several other sales.		Mar. 24, 1852		May 13, 1852
Cornelius Swiney and Others,	Murdock Greene,	Jan. 28, 1850	1,647	13	1	32,020	13	0	July 13, 1850	Nov. 26, 1850	May 11, 1853		Dec. 20, 1854		May 26, 1854 Dec. 15, 1854		—		—
			465	14	8	5,626	8	11											
Mary Anne Webb,	Woodroofe & Wilson,	Jan. 29, 1850	168	9	6	1,267	10	0	Jan. 30, 1850	Feb. 16, 1850	—		July 4, 1850		July 9, 1850		Jan. 17, 1851		Mar. 3, 1851
Thomas Howley,	M. Cogan,	Jan. 29, 1850	358	4	8	3,535	0	0	Jan. 30, 1850	Mar. 23, 1850	April 24, 1851		Dec. 12, 1851		Nov. 7, 1851		Nov. 1851		Feb. 1852
James Cullen Mahon,	M'Causland & Co.	Jan. 30, 1850	1,031	16	10	22,841	0	0	Feb. 18, 1850	Mar. 6, 1850	June 3, 1850		Nov., 1850		July 17, 1851 Aug. 6, 1851		June, 1852		July 20, 1852
James Edward Ernold,	R. Morris,	Jan. 30, 1850	26	18	9	644	8	0	Jan. 31, 1850	Feb. 27, 1850	Feb. 16, 1852		July 11, 1854		June 9, 1854		—		—
Michael Fenton,	C. O'Hara,	Jan. 31, 1850	212	5	4	2,041	12	6	Feb. 1, 1850	Feb. 21, 1850	Nov. 15, 1852		Nov. 5, 1852		Nov. 5, 1851		Nov. 17, 1852		June 19, 1854
John Carter Barrett,	G. Fleetwood,	Jan. 31, 1850	221	3	6	4,830	18	3	Feb. 1, 1850	Mar. 18, 1850	—		—		—		—		—
George Lysaght,	William Cullen,	Jan. 31, 1850	186	11	2	5,305	14	1	Feb. 8, 1850	April 7, 1851	Dec. 2, 1853		Dec., 1854		Nov. 24, 1854		—		—
John Cecil Reade,	J. Chomley,	Feb. 5, 1850	For Partition.			—			Mar. 5, 1852	Oct. 25, 1852	—		—		—		—		—
Alexander Burrowes,	A. M'Neale,	Feb. 5, 1850	305	6	4	3,682	15	3	Feb. 13, 1850	May 10, 1850	Oct. 28, 1850		April 6, 1852		Nov. 5, 1852		July 16, 1853		Feb. 1854
John J. Armstrong,	Thomas Mowlds,	Feb. 5, 1850	42	5	0	797	18	0	Feb. 14, 1850	Mar. 6, 1850	April, 1850		Dec., 1850		Nov. 1, 1850		Feb. 15, 1851		Mar. 17, 1851
Assignee of T. A. Roberts, bt.	N. D. Murphy,	Feb. 6, 1850	1,064	12	1	27,860	11	2	Feb. 18, 1850	April 18, 1850	Oct. 28, 1850		June, 1851		July 21, 1851 June 13, 1851		Feb. 2, 1852		Mar. 22, 1852

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

A Return of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued*.

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
John Spotswood and Another	S. P. Lindsey,	Feb. 8, 1850	708 11 9	19,080 19 2	Feb. 18, 1850	Mar. 19, 1850	April 28, 1852	Dec. 4, 1852	June 13, 1851	Oct. 1854	Dec. 4, 1854
Robert Ferguson,	Martin and King,	Feb. 8, 1850	175 11 0	3,155 2 2	Feb. 18, 1850	Dec. 24, 1853	Jan. 4, 1854	—	—	—	—
Rev. Wm. Minchin,	M. R. Gabbett,	Feb. 8, 1850	1,397 17 2	22,165 18 4	Feb. 22, 1850	April 3, 1850	May 10, 1850	—	Mar. 29, 1852	—	—
									May 27, 1852		
Ellen Coleman and Others,	P. J. Byrne,	Feb. 9, 1850	126 5 0	1,695 10 9	Feb. 23, 1850	April 24, 1850	Dec. 19, 1850	July 21, 1851	July 29, 1851	Aug. 1852	Nov. 1852
John Bagwell,	K. Hallowes,	Feb. 9, 1850	219 10 2	4,602 1 2	Feb. 23, 1850	Mar. 11, 1850	Feb. 1851	April, 1851	Feb. 14, 1851	Dec. 1851	Feb. 9, 1852
									April 15, 1851		
Hamilton White,	William Lewis,	Feb. 9, 1850	1,323 12 10	29,595 15 0	Feb. 25, 1850	Mar. 23, 1850	Nov. 22, 1851	—	Dec. 3, 1852	Feb. 1. 1853	Nov. 20, 1854
									Nov. 28, 1854		
Alexander Berry and Wife,	J. Faris,	Feb. 11, 1850	Possession of Owner.	22,913 10 8	Feb. 25, 1850	April 12, 1850	Nov. 8, 1850	July, 1851	April 20, 1851	Jan. 16, 1852	Mar. 8, 1852
									Nov. 21, 1851		
Christopher Vero,	Woodroffe and Wilson,	Feb. 11, 1850	708 9 2	4,728 19 8	Feb. 22, 1850	Mar. 11, 1850	—	Dec. 1, 1850	April 15, 1851	June 10, 1851	July 7, 1851
Barry Collins,	W. J. Nelligan,	Feb. 11, 1850	318 6 1	5,681 1 2	Feb. 25, 1850	Mar. 23, 1850	—	—	Aug. 5, 1852	—	—
John Bollingbroke,	George Crozier,	Feb. 12, 1850	456 15 3	9,345 1 7	Feb. 26, 1850	Mar. 19, 1850	Mar. 6, 1851	April 25, 1851	Nov. 20, 1851	Feb. 14, 1852	May 5, 1853
									Nov. 25, 1852		
									July 14, 1853		
Assignee A. B. Bernard,	Murdock Greene,	Feb. 14, 1850	80 0 0	1,392 6 2	Mar. 4, 1850	Mar. 26, 1850	—	July 14, 1851	June 26, 1851	June 28, 1852	Nov. 22, 1852
									Oct. 29, 1851		
									July 26, 1852		
Robert Blake Foster,	R. C. M'Nevin,	Feb. 14, 1850	1,416 16 11	9,844 7 7	Mar. 4, 1850	Mar. 21, 1850	May 1, 1852	Dec. 6, 1852	Oct. 28, 1851	July, 1852	May, 1853
									Jan. 23, 1852		
Pierce Morton,	William Tatlow,	Feb. 15, 1850	2,588 10 1	56,285 3 2	Feb. 28, 1850	Mar. 25, 1850	Feb. 15, 1850	Dec. 4, 1850	Nov. 22, 1850	April 26, 1851	April 26, 1851
Philip Daly,	J. Kilkelly,	Feb. 15, 1850	449 18 0	12,641 10 10	Feb. 15, 1851	April 12, 1851	Sept. 9, 1852	April 7, 1853	Mar. 16, 1854	June 16, 1854	—
									June 1, 1854		
Anne French,	M. A. Howlett,	Feb. 15, 1850	407 2 11	3,831 6 0	April 15, 1850	June 4, 1850	—	—	April 2, 1852	—	—
Julia M. Burke and Others,	R. Carroll,	Feb. 21, 1850	2,564 19 5	16,977 14 2	Mar. 5, 1850	Mar. 27, 1850	—	Sept. 9, 1852	Dec. 8, 1853	Mar. 3, 1854	May 29, 1854
William D. Johnson and Assignee,	Graham and Co.,	Feb. 22, 1850	227 15 11	3,694 0 0	Mar. 12, 1850	April 27, 1850	April 23, 1852	Jan. 19, 1853	Mar. 1, 1853	—	—
Henry Smith,	L. Morrogh,	Feb. 22, 1850	394 10 0	20,098 7 11	Mar. 11, 1850	April 25, 1850	Oct. 29, 1850	April 10, 1851	May 16, 1851	Aug. 1851	Mar. 1852
Sir Andrew Armstrong, bt.,	H. Swanzy,	Feb. 23, 1850	1,533 11 8	9,901 16 3	Mar. 11, 1850	April 12, 1850	April 28, 1851	Dec. 1852	June 25, 1852	Feb. 4, 1853	Mar. 10, 1853
					May 11, 1850	May 29, 1850			Jan. 27, 1854		
Assignee of John Stephens,	R. A. Walker,	Feb. 25, 1850	1,250 12 0	16,574 5 9	Mar. 4, 1850	April 22, 1850	Dec 6, 1850	Dec. 12, 1851	Aug. 4, 1851	Feb. 1852	Mar. 1852
									Oct. 16, 1851		
									June 20, 1852		
Thomas P. Firman,	J. B. Kennedy,	Feb. 26, 1850	726 15 7	20,553 4 6	Mar 14, 1850	April 10, 1850	April 24, 1852	—	May 18, 1852	—	—
Walter Blake,	R. C. M'Nevin,	Feb. 27, 1850	1,081 17 0	27,830 10 0	Mar. 1, 1850	Mar. 23, 1850	Oct. 29, 1849	Dec. 31, 1851	Nov. 18, 1851	June 3, 1852	July 30, 1852
Daniel J. Moynahan,	R.&W.Coppinger,	Feb. 28, 1850	143 19 8	3,987 0 0	Mar. 19, 1850	April 30, 1850	Jan. 23, 1851	Dec. 1851	Nov. 21, 1851	April 30, 1852	June, 1852
James Cuffe,	J. Moffatt,	Mar. 1, 1850	1,033 16 2	61,817 16 2	Mar. 21, 1850	April 18, 1850	Feb. 26, 1851	Nov. 1851	Dec. 19, 1851	Jan. 1855	—
Sir Samuel O'Malley,	S. Sproule,	Mar. 2, 1850	2,601 15 4	62,792 0 3	Mar. 19, 1850	July 17, 1850	Mar. 24, 1851	April 24, 1853	July 21, 1852	July, 1854	August, 1854

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

Thomas Grove Grady;	H. G. Grady,	Mar. 2, 1850	200 13 3	11,938 0 9	May 22, 1850	June 18, 1850	May 15, 1852	July 28, 1852	June 18, 1852	Jan., 1853	March, 1853
Anne Carney and Others,	R. S. Anderson,	Mar. 2, 1850	153 13 1	2,293 15 1	Mar. 20, 1850	April 26, 1850	June 16, 1852	Dec. 17, 1851	Dec. 18, 1851	July 10, 1852	Dec. 20, 1852
Thos. M. Prior and Others,	Read & Crawford,	Mar. 2, 1850	47 6 0	11,125 15 2	Mar. 25, 1850	June 19, 1850	October, 1850	October, 1851	May 2, 1851 Dec. 1, 1854	Nov., 1851	Dec., 1851
Daniel Todd,	J. W. Doherty,	Mar. 4, 1850	880 16 4	26,332 18 3	Mar. 20, 1850	May 8, 1850	Nov. 14, 1851 Delivered for Amendment	January, 1852	Feb. 16, 1852	May 28, 1853	July 14, 1853
William Power and Another,	W. Walsh,	Mar. 4, 1850	124 3 1	1,577 10 0	Mar. 20, 1850	May 25, 1850	Dec. 9, 1854	April 24, 1851	—	—	—
Richard M. Sadleir,	J. B. Kennedy,	Mar. 5, 1850	102 12 1	1,940 0 0	Mar. 22, 1850	May 16, 1850	April 4, 1851	May 2, 1851	Jan. 12, 1854	—	—
William Massey,	N. C. D'Arcy,	Mar. 6, 1850	492 12 5	7,400 0 0	Mar. 25, 1850	May 8, 1850	June 20, 1851	Nov. 6, 1852	Nov. 30, 1854	—	—
Edmond Taaffe,	W. T. Galway,	Mar. 7, 1850	2,236 0 10	49,460 19 7	Mar. 25, 1850	April 20, 1850	Jan. 23, 1853	June 29, 1854	May 10, 1854 May 26, 1854	—	—
Howard N. Egan and Another,	Lynn Carew,	Mar. 7, 1850	561 7 3	8,205 7 8	Mar. 25, 1850	April 27, 1850	Mar. 15, 1851	Aug. 29, 1853	May 13, 1853 June 24, 1853	April 1, 1854	Nov., 1854
William Farrell,	J. Walker,	Mar. 7, 1850	127 12 7	1,130 9 8	Mar. 25, 1850	May 18, 1850	—	—	—	—	—
Nicholas D. Crommelin,	Wallace and Co.,	Mar. 11, 1850	2,544 19 1	75,458 19 2	June 14, 1850	Aug. 16, 1850	Mar. 11, 1850	April 22, 1851	July 26, 1851	Dec. 23, 1854	—
Benjamin Plowman,	J. J. Tweedy,	Mar. 11, 1850	112 3 1	442 13 9	Mar. 30, 1850	No further Proceedings.	—	—	—	—	—
Elizabeth M'Morry and Another,	T. Croker,	Mar. 11, 1850	21 16 0	204 18 5	April 6, 1850	May 23, 1850	—	—	Jan. 16, 1852	—	—
Gerald Dillon,	D. Mahony,	Mar. 11, 1850	142 7 2	1,688 12 0	Mar. 30, 1850	June 29, 1850	Oct. 27, 1852	Nov, 9, 1852	April 20, 1854	—	—
Rev. Sir C. R. Lighton, Bart.,	J. Robinson,	Mar. 13, 1850	1,976 0 7	33,000 0 0	April 1, 1850	May 18, 1850	Dec. 6, 1850	Aug. 2, 1851	June 16, 1851 July 5, 1851 July 10, 1851	Dec., 1851	Feb. 2, 1852
Robert Frazer and Another,	Meade and Son,	Mar. 14, 1850	206 9 6	3,593 1 2	April 3, 1850	May 28, 1850	July 26, 1851	May 15, 1852	Aug. 13, 1851	—	—
Thomas Lloyd,	J. B. Kennedy,	Mar. 14, 1850	1,052 17 9	9,993 7 7	June 30, 1851	Dec. 8, 1851	Jan. 17, 1853	Mar. 29, 1854	—	—	—
Thomas J. Jessop,	G. D. Fottrell,	Mar. 14, 1850	2,086 11 8	28,056 12 2	April 27, 1850	June 19, 1850	—	—	—	—	—
Geo. Shanahan and Others,	M. Shortall,	Mar. 14, 1850	387 16 1	7,719 11 0	Mar. 18, 1850	April 20, 1850	Dec. 18, 1850	March, 1851	Nov. 8, 1851	March, 1852	June, 1852
William O'Brien,	T. Crozier,	Mar. 16, 1850	123 16 0	3,472 9 8	April 4, 1850	April 24, 1850	—	Dec, 31, 1850	April 29, 1851	Feb. 10, 1854	—
Rev. Edward G. Armstrong,	Thomas Boyd,	Mar. 19, 1850	75 14 8	412 0 0	April 16, 1850	June 11, 1850	May 27, 1851	June, 1852	Mar. 12, 1852	Dec. 10, 1852	Mar. 14, 1853
Arthur Samuel Judge,	M'Dermott and Graham,	Mar. 21, 1850	377 0 2	13,827 11 0	April 23, 1850	June 24, 1850	Oct. 29, 1850	Mar. 21, 1851	July 18, 1851	Feb., 1852	June 22, 1852
Francis Evans,	Billing and Co.,	Mar. 21, 1850	347 0 0	24,227 16 7	April 6, 1850	May 29, 1850	June 5, 1852	Dec. 5, 1853	July 15, 1853	Jan. 25, 1854	—
Annesly Brownrigg,	Billing and Co.,	Mar. 21, 1850	120 0 0	2,100 0 0	April 6, 1850	May 8, 1850	April 5, 1851	—	—	—	—
Charlotte Symes,	Woodroffe & Wilson,	Mar. 22, 1850	281 16 0	1,451 12 3	Mar. 22, 1850	April 11, 1850	—	July 27, 1850	Aug. 6, 1850	—	—
Francis Nesbitt,	Hallowes and Hamilton,	Mar. 23, 1850	1,902 3 0	58,842 19 0	April 8, 1850	May 24, 1850	Jan. 18, 1851	Mar. 14, 1853	July 16, 1852	May 26, 1853	July, 1853
William Grace,	J. Poe,	Mar. 27, 1850	195 8 5	4,549 4 0	April 13, 1850	May 8, 1850	—	—	—	—	—
John O'Kelly,	M. Kenny,	Mar. 28, 1850	255 18 5	5,651 16 4	April 18, 1850	June 22, 1850	Dec. 6, 1853	May 5, 1854	—	—	—
Timothy J. Riordan,	D. A. Nagle,	Mar. 30, 1850	49 6 2	544 15 4	April 16, 1850	June 30, 1850	—	—	—	—	—
Clayton B. Savage,	J. Rowan,	Mar. 30, 1850	387 1 8	62,907 8 11	April 16, 1850	July 8, 1850	—	—	—	—	—
Richard Morphy,	M. Mahony,	Mar. 30, 1850	405 0 2	4,621 6 0	April 16, 1850	June 26, 1850	April 27, 1852	—	—	—	—
Arthur K. Forbes,	A. Barlow,	April 5, 1850	2,434 0 0	24,392 2 11	April 20, 1850	July 1, 1850	—	April 22, 1854	July 22, 1851 Feb. 8, 1853	—	—
John Mason and Others,	Stokes & Creagh,	April 5, 1850	348 14 11	14,722 15 5	April 19, 1850	May 10, 1850	Dec. 1, 1852	May 26, 1854	Jan. 20, 1854 June 30, 1854	—	—
Michael M'Donogh,	J. A. Browne,	April 6, 1850	66 6 2	500 0 0	April 10, 1850	June 15, 1850	—	—	—	—	—
James W. M'Neale,	Montgomery and Leech,	April 6, 1850	3,392 3 3	58,009 3 1	April 22, 1850	July 19, 1850	—	May 10, 1853	May 16, 1854	July, 1854	Dec. 11, 1854

Paper No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A Return of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued*.

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
Cairncross Thomas Cullen,	Leonard Dobbin and Co.,	April 8, 1850	1,478 13 4	33,251 10 0	April 26, 1850	July 23, 1850	Feb. 24, 1851	October, 1852	Nov. 12, 1852 Jan. 12, 1855	Oct. 24, 1853	June, 1854
William Henry Orme,	Galloway and Connor,	April 11, 1850	1,402 15 5	20,877 4 10	April 24, 1850	May 11, 1850	Dec. 18, 1851	Nov., 1852	April 23, 1852	Nov., 1854	Jan., 1855
Sarah Emma M'Dermott and Others,	Tisdall and Johns,	April 11, 1850	423 3 8	4,493 2 0	April 30, 1850	June 7, 1850	Dec. 17, 1850	Feb., 1852	Jan. 23, 1852	July, 1852	Nov., 1852
William Morris, the younger,	Philip W. Bass,	April 13, 1850	513 6 8	9,379 9 4	April 30, 1850	June 11, 1850	Nov. 18, 1851	Jan., 1852	June 3, 1853 Nov. 29, 1854	May, 1854	—
Barry H. Atkinson, and Another,	J. Riddick,	April 13, 1850	210 13 6	2,139 14 1	April 29, 1850	June 25, 1850	Feb. 15, 1851	January, 1852	Feb. 17, 1854	—	—
Assignee of J. Kennedy,	John Eyre,	April 15, 1850	209 6 11	4,556 2 5	April 29, 1850	May 20, 1850	June, 1850	October, 1850	Oct. 22, 1850	Nov. 14, 1850	Mar. 17, 1851
James V. R. Gregg,	Hitchcock & Black,	April 15, 1850	985 6 3	20,095 2 7	April 29, 1850	June 1, 1850	June, 1850	Nov., 1850	Dec. 6, 1850 Dec. 12, 1850	July 12, 1851	Dec. 8, 1851
John Keys,	Frederick Kelly,	April 15, 1850	192 13 4	1,666 0 0	April 29, 1850	June 20, 1850	—	Mar. 22, 1852	Dec. 7, 1852	Dec. 18, 1853	Jan. 30, 1854
Henry Hallam,	William Neilson and Son,	April 19, 1850	139 9 0	1,461 9 6	Oct. 12, 1850	Nov. 9, 1850	April 1, 1851	—	Mar. 21, 1851	Nov., 1854	—
Benadict Arthure,	W. H. M'Grath,	April 20, 1850	2,951 7 10	56,375 15 2	April 23, 1850	June 5, 1850	—	—	Various sales from June 3, 1851 to Aug. 1, 1854	—	—
Peter Gale,	Martin and Cartan,	April 23, 1850	1,677 13 5	14,720 12 0	May 8, 1850	June 25, 1850	—	Nov. 8, 1851	Nov. 11, 1851	May 26, 1852	July 5, 1852
William Edward H. Allen,	James W. Doherty,	April 23, 1850	89 4 0	700 0 0	May 8, 1850	Mar. 14, 1850	April 16, 1851	January, 1852	Feb. 16, 1852	Nov., 1852	Feb. 9, 1853
Thomas E. Hamilton, Trustee of E. Cottingham,	John Hall,	April 25, 1850	554 15 6	8,235 0 0	May 8, 1850	June 28, 1850	Mar. 12, 1851	Dec., 1851	Feb. 1, 1851 July 29, 1852	Nov, 1852	May 6, 1853
—— O'Kelly, Trustee of J. Martin, deceased,	P. Lawless,	April 26, 1850	75 0 0	261 1 2	Aug. 30, 1850	Oct. 10, 1850	Nov. 21, 1851	Mar. 22, 1852	—	—	—
George Wyse, and Others,	D. O. C. Fisher,	April 27, 1850	918 11 4	25,106 1 6	May 9, 1850	June 19, 1850	May 31, 1851	Nov. 6, 1852	June 4, 1852 Dec. 10, 1852	April 19, 1853	July, 1853
Jerome Tisdall,	Richard Jennings,	April 27, 1850	1,280 11 11	27,000 0 0	May 9, 1850	Jan. 8, 1851	—	—	—	—	—
Thomas Seaver,	J. O. Woodhouse,	April 27, 1850	2,337 6 1	35,510 17 8	May 4, 1850	June 3, 1850	Nov. 4, 1852	June 12, 1854	Nov. 5, 1852	Dec., 1854	—
Richard B. Townsend Robinson,	Seymour & Webb,	April 27, 1850	140 0 0	2,339 12 9	May 9, 1850	June 10, 1850	Dec. 9, 1850	February, 1852	Feb. 3, 1852	Aug. 12, 1852	Dec. 6, 1852
Edward Gillman,	J. Lane,	April 29, 1850	386 10 8	3,327 6 1	May 9, 1850	June 25, 1850	Dec. 13, 1850	May 12, 1851	June 27, 1851 Aug. 5, 1852	Mar. 12, 1852	June 7, 1852
Richard Beecher Orpen,	J. Orpin,	May 1, 1850	757 3 2	9,153 13 3	Oct. 24, 1850	Dec. 20, 1850	Jan. 15, 1852	Feb. 3, 1852	Nov. 12, 1852	May 17, 1853	Nov. 14, 1853
Mathew Cooke,	J. B. Kennedy,	May 2, 1850	1,635 2 3	25,908 4 4	July 9, 1850	Aug 17, 1850	—	—	April 14, 1852	—	—
Richard Lalor,	J. B. Kennedy,	May 2, 1850	281 16 7	7,720 5 10	May 2, 1850	July 9, 1850	Oct. 29, 1850	April 1, 1851	Dec. 19, 1851	August, 1852	Feb. 1, 1853
Vere Dawson Hunt,	C. Loughnane,	May 3, 1850	1,047 15 6	11,750 9 6	May 15, 1850	July 1, 1850	May 29, 1851	Nov. 29, 1852	Nov. 5, 1852	Mar. 8, 1853	June 1, 1854
John Parks,	S. L. Frazer,	May 3, 1850	45 0 0	547 3 8	May 15, 1850	June 29, 1850	Dec. 3, 1850	June, 1851	Mar. 9, 1853	January, 1855	—
Thomas Barker,	Parker and Large,	May 6, 1850	54 16 4	2,396 0 2	May 27, 1850	June 24, 1850	Feb. 20, 1851	June 22, 1852	Mar. 11, 1852	July 18, 1853	Nov., 1853
Robert Roe Fisher,	R. W. Greer,	May 7, 1850	427 3 8	11,945 14 8	May 29, 1850	July 17, 1850	May 13, 1852	Dec. 3, 1853	Nov. 9, 1852	April, 1853	July 1, 1853

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

Robert Cassidy,	William Roche,	May 10, 1850	1,416 18 5	15,600 0 0	June 4, 1850	July 24, 1850	—	—	—	—	—	—
Thos. Marston and Another,	R. R. Todd.	May 10, 1850	164 11 2	1,098 14 4	June 4, 1850	June 22, 1850	—	Mar. 13, 1852	Nov. 25, 1852	Jan. 10, 1853	Mar. 7, 1854	
John Ormsby,	J. Litton,	May 13, 1850	1,528 14 8	12,000 0 0	June 3, 1850	June 29, 1850	April 28, 1851	April 25, 1854	Oct. 29, 1851 Nov. 7, 1851 Feb. 3, 1852	Novem., 1854	Jan. 29, 1855	
Danl. B. Foley and Another,	W. Bullen,	May 14, 1850	99 17 6	8,370 13 10	June 5, 1850	July 18, 1850	May 8, 1852	January, 1854	Oct. 28, 1853			
Peter W. Murphy,	J. Riddick,	May 15, 1850	180 13 7	1,282 11 11	July 8, 1850	Nov. 23, 1850	Feb. 11, 1851	Feb. 13, 1854	July 17, 1851	—	—	
Assignee of J. H. Roache,	Orpen and Co.,	May 16, 1850	401 12 6	2,411 10 9	June 15, 1850	Sept. 25, 1850	—	—	—	—	—	
Wife of James B. Irwin,	J. Cannon,	May 16, 1850	182 6 2	1,044 0 0	June 17, 1850	Jan. 4, 1851	Nov. 12, 1852	May, 1854	June 16, 1854	Feb. 1, 1855	—	
Ottiwell Hayes,	F. Tuckey,	May 17, 1850	600 3 1	12,163 2 0	June 17, 1850	Aug. 15, 1850	Nov. 23, 1850	Aug. 14, 1851	July 18, 1851 Aug. 5, 1852	Feb. 24, 1852	April 23, 1852	
Thomas Power,	M'Dermott and Graham,	May 17, 1850	984 6 0	8,094 10 5	June 17, 1850	Aug. 23, 1850	Dec. 11, 1851	July 9, 1852	April 23, 1852	February, 1853	May 30, 1853	
Assignee of W. Roddy,	James Mears,	May 18, 1850	229 5 0	4,969 11 3	June 29, 1850	Aug. 22, 1850	Oct. 30, 1851	—	—	—	—	
James Condon and Another,	Thomas Gibbings,	May 18, 1850	315 4 3	4,756 5 2	July 18, 1850	Aug. 17, 1850	Nov. 29, 1851	Aug. 10, 1852	Aug. 5, 1852 July 26, 1853	Decem., 1854	—	
Assignee of J. S. H. Roche and Another,	G. Beamish,	May 20, 1850	401 12 6	2,411 10 9	June 15, 1850	July 25, 1850	—	—	Dec. 22, 1851	—	—	
William Kirk Martin,	W. J Gwynne,	May 20, 1850	25 0 0	400 0 0	June 24, 1850	Oct. 26, 1850	Nov. 9, 1850	—	—	—	—	
Thomas Hynes,	A. J. Blake,	May 20, 1850	348 10 0	Not stated.	June 24, 1850	Oct. 30, 1850	Mar. 10, 1851	—	June 23, 1854	—	—	
Rev. Augustus Warner,	R. Murdock,	May 22, 1850	1,134 2 1	54,367 3 2	May 27, 1850	June 20, 1850	Oct. 13, 1851	August, 1852	June 4, 1852	January, 1853	May 20, 1853	
Samuel Poe and Another,	J. Middleton,	May 22, 1850	Partition.	—	June 26, 1850	Nov. 4, 1850	Mar. 15, 1853	—	—	—	—	
John Gorman,	R. Malcomson,	May 23, 1850	113 15 0	5,043 13 11	July 2, 1850	Sept. 7, 1850	Nov. 5, 1851 April 30, 1853 Oct. 25, 1854	April 4, 1854 Jan. 6, 1855	April 13, 1854	—	—	
James Montgomery and Another,	J. Bates,	May 25, 1850	227 7 8	2,800 0 0	July 4, 1850	Oct. 2, 1850	—	—	July 10, 1851	—	—	
William Roger,	J. J. Rowland,	May 27, 1850	543 15 5	10,278 5 7	July 4, 1850 Feb. 1, 1850	Mar. 3, 1851	Mar. 19, 1853 May 16, 1853 Oct. 23, 1854	—	—	—	—	
James V. R. Gregg,	Hitchcock&Blake,	May 30, 1850	985 6 3	20,095 2 7	May 30, 1850	June 21, 1850	April, 1851	June, 1851	Dec. 12, 1850	August, 1851	Novem., 1851	
William Kirwan & Another,	W. M. Roche,	May 31, 1850	466 0 0	3,500 0 0	July 8, 1850	Oct. 21, 1850	Oct. 29, 1852 June 19, 1854	Oct. 24, 1853	—	—	—	
James Curtis,	John Gardner,	May 31, 1850	—	For Partition.	July 8, 1850 Nov. 27, 1850	Jan. 30, 1851	Oct. 24, 1851	June 14, 1852	Dec. 18, 1852	—	—	
H. T. B. Beamish & Another,	Seymour & Webb,	June 1, 1850	365 14 5	4,798 1 6	Feb. 3, 1851	May 24, 1851	—	—	—	—	—	
Thomas Doolan,	C. Kelly,	June 3, 1850	260 0 0	2,888 9 0	July 10, 1850	Oct. 1, 1850	Dec. 14, 1850	Feb 14, 1851	April 17, 1851	—	—	
Rebecca Onge and Husband,	William Carey,	June 3, 1850	316 17 10	2,830 0 6	Aug. 1, 1850	Sept. 18, 1850	May 20, 1852	April 4, 1851	July 15, 1852	—	—	
Thomas Wilson and Another,	John O'Neill,	June 5, 1850	Rent not stated in Petition.	517 1 8	July 11, 1850	April 15, 1852	—	—	—	—	—	
Alexander Rosborough,	B. Kernaghan,	June 5, 1850	314 0 0	2,065 0 0	July 18, 1850	Aug. 30, 1850	Dec. 31, 1850	Jan. 14, 1853	—	—	—	
Joseph Whitsitt,	Samuel Frazer,	June 6, 1850	—	For Partition.	July 24, 1850	Nov. 8, 1851	Nov. 1, 1852	Feb. 2, 1853	Feb. 3, 1853	—	—	
Assignee of J. Ringrose,	Thadee W. Murphy	June 6, 1850	146 10 0	8,108 0 0	Aug. 12, 1850	Dec. 5, 1850	July 26, 1853 Feb. 9, 1854	May 27, 1854	—	—	—	
Elizbth. Hannah Harbourne,	James Bourke,	June 7, 1850	98 10 0	955 15 8	Oct. 28, 1850	Jan. 23, 1851	Feb. 28, 1853 July 20, 1853	—	—	—	—	
Alicia Leonard,	Bolton and Bolton,	June 8, 1850	51 10 0	585 11 8	July 19, 1850	Sept. 17, 1850	—	—	—	—	—	

PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition,	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule
			£ s. d.	£ s. d.							
William Gamble, . .	John M'Gill, .	June 8, 1850	3 17 0	266 3 1	Aug. 10, 1850	Sept. 20, 1850	Nov. 4, 1851	Dec. 16, 1851	May 2, 1854	—	—
Margaret Anne Given and Others,	John Hall, . .	June 8, 1850	236 16 11	2,444 6 6	Aug. 8, 1850	April 10, 1851	—	—	April 21, 1854	—	—
James O'Donnell and Wife,	M. Bourke, .	June 10, 1850	17 16 0	1,926 4 2	Aug. 5, 1850	Sept. 4, 1850	Jan. 11, 1851	August, 1851	July 22, 1851	January, 1853	April 18, 1853
Samuel and Robert Jacob, .	S. F. Adair, .	June 10, 1850	706 7 1	11,915 6 6	July 8, 1850	Aug. 26, 1850	Novem., 1850	January, 1851	Jan. 22, 1851 May 6, 1851	October, 1851	Dec. 2, 1851
John Cramin, . . .	Edward Matthews,	June 12, 1850	560 13 3	4,123 9 9	Aug. 10, 1850	Oct. 14, 1850	June 21, 1851	Aug. 4, 1851	—	—	—
Eyre Nicholas Sadlier and Others,	J. S. Abbott, .	June 13, 1850	341 2 3	4,986 12 1	July 25, 1850	Oct. 5, 1850	—	—	Nov. 7, 1851	—	—
Assignee of John Casey, .	William Hobbs, .	June 13, 1850	16 0 0 Part in Owner's Possession.	1,166 9 0	July 27, 1850	Oct. 9, 1850	Nov. 10, 1853 Dec. 10, 1853 June 1, 1854	—	—	—	—
George Mahon and Others,	S. Sproule, . .	June 13, 1850	56 0 2	658 11 3	July 27, 1850	Sept. 19, 1850	—	—	—	—	—
Assignee of J. Wham and Another,	John M'Gill, .	June 13, 1850	4 17 9 Part in Owner's Possession.	561 16 2	July 27, 1850	Sept. 10, 1850	Nov. 18, 1851	Mar. 29, 1852	Nov. 1, 1853	—	—
Assignee of Thomas Wilton,	A. C. Pallas, .	June 14, 1850	—	—	July 27, 1850	Nov. 13, 1850	Oct. 28, 1851	Mar. 18, 1852	June 20, 1854	Jan. 25, 1855	—
Powell Foxhall, . . .	Samuel Reid, .	June 17, 1850	728 1 11	9,423 13 1	July 29, 1850	Sept. 11, 1850	April 15, 1851	April 5, 1852	July 29, 1852	—	—
James Roache and Another,	W. J. Coppinger,	June 20, 1850	89 11 2	7,466 2 3	May 29, 1851	July 25, 1851	—	—	—	—	—
Nathaniel Lee Toler, . .	A. Durden, .	June 21, 1850	75 10 8	1,684 0 0	Aug. 1, 1850	Oct. 26, 1850	Feb., 1851	Mar. 6, 1851	Mar. 3, 1853 Mar. 10, 1854 June 29, 1854	—	—
Robert Jones, . . .	Sidney V. Jackson,	June 25, 1850	3,458 17 10	56,613 15 8	Nov. 1, 1850	Feb. 3, 1851	June 8, 1853	April, 1854	Mar. 31, 1854	Jan. 11, 1855	—
Frederick Thomas Jessop, .	John Dickinson, .	June 27, 1850	1,413 18 9	17,443 5 5	Aug. 14, 1851	Nov. 9, 1850	Mar. 28, 1851	April 26, 1851	—	—	—
Dennis Egan, . . .	L. G. O'Neill, .	June 27, 1850	76 13 1	553 16 11	Aug. 13, 1851	Jan. 9, 1851	—	—	Mar. 3, 1853	—	—
Rev. Eugene Cullen and Others,	R. O'Donnell, .	June 27, 1850	165 15 0	1,635 0 9	Feb. 10, 1851	Sept. 27, 1851	Mar. 10, 1852 Mar. 5, 1853	July 5, 1853	May 25, 1854	—	—
Daniel M'Grath and Another,	J. D. Meldon, .	July 1, 1850	190 0 0	1,587 2 9	Aug. 14, 1850	Oct. 17, 1850	—	—	—	—	—
Rev. T. W. Garde & Others,	Murdock Greene,	July 1, 1850	693 9 4	5,528 7 5	Aug. 10, 1850	Dec. 21, 1850	Nov. 10, 1852 May 25, 1854	—	—	—	—
Betana Roberts & Another,	A. Dudgeon, .	July 2, 1850	In Possession of Owner.	808 3 10	Aug. 23, 1850	Oct. 9, 1850,	Feb. 20, 1851	April 5, 1851	—	—	—
Anne Sarah Taylor, . .	James Sweeny, .	July 6, 1850	513 7 4	19,404 1 10	Aug. 17, 1850	Nov. 6, 1850,	Nov. 26, 1851 May 27, 1852	Oct. 14, 1852	—	—	—
Assignee of A. Robinson, .	T. Courtenay, .	July 8, 1850	807 7 3	21,795 3 4	Aug. 17, 1850	Sept. 27, 1850	—	—	Feb. 6, 1851	—	—
Robert Armstrong, . .	J. W. Foley, .	July 9, 1850	88 0 0	848 1 11	Aug. 24, 1850	Oct. 29, 1850	Mar. 27, 1851 Aug. 1, 1851 Mar. 30, 1852	Oct. 30, 1851	June 8, 1854	—	—
Edw. B. Beecher & Another,	T. M'C. Downing,	July 10, 1850	1,189 10 8	11,660 19 5	Dec. 16, 1850	Feb. 5, 1851	April 2, 1851	May, 1852	May 5, 1854 April 27, 1854	Jan. 11, 1855	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

George H. Brown,	M'Dougal, Perrin, and Co.,	July 10, 1850	694 10 7	17,004 12 4	Oct. 31, 1850	Jan. 4, 1851	June 30, 1851 Jan. 10, 1855	Mar. 22, 1852,	—	—	—
John Taaffe West,	R. Jones,	July 11, 1850	162 14 1	3,873 11 10	Dec. 2, 1850	Feb. 12, 1851	July 11, 1850	—	—	—	—
Assignee of Wm. Duncan,	J. D. Meldon,	July 11, 1850	25 5 0	600 13 7	Aug. 4, 1851	Dec. 1, 1851	Feb. 15, 1854	—	—	—	—
Ruth Parr,	William Gibson,	July 11, 1850	92 5 10	2,196 17 1	Oct. 31, 1850	June 12, 1851	Feb. 17, 1853	Feb. 16, 1854	Jan. 17, 1854 Feb. 17, 1854	Dec., 1854	Jan. 29, 1855
William Sherwood,	A. R. Symes,	July 15, 1850	183 17 11	923 8 6	Nov. 8, 1850	Dec. 23, 1850	May 7, 1852	Aug., 1853	June 3, 1853	Nov. 1, 1854	—
Danl. Madden & his Assignee,	D. Mahony,	July 16, 1850	716 17 10	8,374 17 1	Nov. 5, 1850	Dec. 18, 1850	Jan. 29, 1852 Dec. 20, 1853 May 6, 1854	—	—	—	—
Rev. Robert John Echlin,	Wallace and Co.,	July 18, 1850	2,478 16 2	25,530 15 6	Oct. 19, 1850	Nov. 30, 1850	May 1, 1851	April, 1853	Mar. 3, 1852	—	—
Tobias John Purcell and Wife,	T. J. Purcell,	July 19, 1850	381 12 6	2,441 3 6	Dec. 2, 1850	Mar. 6, 1851	Oct. 18, 1851	—	—	—	—
Thomas Davis,	George Black,	July 20, 1850	85 16 8	1,180 18 2	Oct. 19, 1850	Jan. 3, 1851	—	—	—	—	—
Dominick Browne,	C. & J. S. Gaussen,	July 25, 1850	2,072 15 2	19,659 13 7	Oct. 24, 1850	Feb. 7, 1851	April 28, 1854 Nov. 24, 1854	—	—	—	—
Rev. Wm. Jackson,	S. V. Jackson,	July 20, 1850	2,299 7 4	25,143 7 4	July 23, 1850	Oct. 26, 1850	Nov. 12, 1852	April 21, 1853	Various sales from July 8, 1852 to 27 June, 1854,	Jan. 13, 1854	Mar. 6, 1854
Joseph Roblett,	G. S. Wybrants,	July 29, 1850	16 10 0	407 7 7	June 30, 1851	Oct. 28, 1851	—	—	—	—	—
Anthony B. St. Leger,	G. F. Woodroffe,	July 30, 1850	113 0 11	14,039 13 7	Nov. 11, 1850	Jan. 18, 1851	Oct. 25, 1851	Oct. 28, 1852	Nov. 1, 1853	April 15, 1853	July 12, 1853
Maria Louisa White,	Thomas Crozier,	July 31, 1850	94 11 11	3,743 15 0	Nov. 16, 1850	Jan. 11, 1851	May 15, 1851	July 20, 1854	Dec. 1, 1853	—	—
Assignee of Thos. Abbott,	A. Sullivan,	Aug. 6, 1850	40 0 0	173 3 1	Nov. 20, 1850	Jan. 20, 1851	—	—	—	—	—
Trustees of Daniel Kelly,	R. Carroll,	Aug. 6, 1850	3,151 7 2	30,851 5 7	Nov. 25, 1850	Jan. 20, 1851	—	Aug. 9, 1851	May 25, 1852 Jan. 25, 1853	June 5, 1852	July 15, 1852
John James Willington,	J. Ball,	Aug. 6, 1850	2,040 14 3	20,519 1 5	Nov. 14, 1850	Mar. 12, 1851	—	June 17, 1853	Nov. 8, 1853 June 27, 1854	Feb. 11, 1854	May 15, 1854
Robert Fivey and Others,	R. Simpson,	Aug. 7, 1850	681 1 10	18,843 18 7	Nov. 6, 1850	Jan. 25, 1851	—	—	May 10, 1853	—	—
Garret Nagle,	W. Sullivan,	Aug. 7, 1850	76 12 9	566 12 11	Dec. 20, 1850	Mar. 3, 1851	Jan 29, 1852	June 1, 1853	June 24, 1853	Nov. 28, 1853	May 1, 1854
Earl of Belmore,	J. Stewart,	Aug. 8, 1850	13,920 13 4	278,000 0 0	Aug. 10, 1850	Oct. 22, 1850	—	Nov. 14, 1851	July 8, 1851 Feb. 22, 1853 July 5, 1853 May 6, 1854	May 20, 1852	July 6, 1852
Henry Currie and Others,	L. Dobbin,	Aug. 8, 1850	1,321 5 11	48,306 17 0	Nov. 11, 1850	Dec. 9, 1850	May 31, 1851	—	Nov. 12, 1852	Transferred to Chancery.	—
Thomas Sparrow,	L. W. Corcoran,	Aug. 9, 1850	128 6 3	941 16 2	Feb. 10, 1851	July 8, 1851	Nov. 23, 1854	—	—	—	—
Catherine Boyne and Others,	J. Mara,	Aug. 10, 1850	122 13 6	1,339 0 0	Nov. 22, 1850	Jan. 22, 1851	Mar. 31, 1851	May 15, 1851	—	—	—
Charles Patrick M'Daniel,	H. A. Dillon,	Aug. 12, 1850	520 3 8	5,393 14 8	Nov. 28, 1850	Jan. 22, 1851	Mar. 18, 1852	Nov. 11, 1853	—	—	—
John Richardson & Another,	A. and C. Newton,	Aug. 12, 1850	129 8 3	1,904 5 11	Nov. 7, 1850	Jan. 4, 1851	—	May 4, 1853	July 12, 1853	July 29, 1854	Dec. 11, 1854
Arthur Henry Irvine,	A. Collum,	Aug 14, 1850	242 1 5	3,007 2 2	Nov. 28, 1850	Dec. 18, 1850	—	July 24, 1852	May 4, 1852	April 22, 1853	June 20, 1853
Assignee of Wm. Monaghan and Another.	James Symes,	Aug. 15, 1850	250 0 0	6,390 10 3	April 25, 1850	May 14, 1850	—	—	—	—	—
Philip Daly,	J. Kilkelly,	Aug. 16, 1850	158 10 7	2,307 13 10	Feb. 15, 1851	April 12, 1851	Sep. 9, 1852	—	Mar. 16, 1854 June 1, 1854	June 15, 1854	—
Joseph Francis Taaffe,	J. Mulloy,	Aug. 26, 1850	139 2 9	1,386 11 1	June 7, 1851	Mar. 28, 1851	—	Dec. 28, 1852	Dec. 14, 1852	July 10, 1854	Dec. 4, 1854
John Patrick Somers,	J. Weir,	Aug. 26, 1850	256 9 2	4,712 7 11	Jan. 18, 1851	April 1, 1851	July 27, 1852	April, 1853	Feb. 18, 1853	January, 1854	July 4, 1854
John Busteed,	M. Creagh,	Aug. 27, 1850	27 7 7	688 0 0	Oct. 28, 1850	Nov. 15, 1850	—	—	—	—	—
Assignee of F. F. Byrne,	J. P. Madden,	Aug. 28, 1850	Partition Case.	—	Jan. 18, 1851	—	—	—	—	—	—

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
Owen E. Blake,	James Kilkelly,	Aug. 29, 1850	1,883 15 10	14,136 18 6	Jan. 27, 1851	May 22, 1851	Oct. 25, 1852	May, 1853	April 29, 1853	April, 1854	Dec. 14, 1854
Rebecca Tilly,	R. Maziere,	Aug. 29, 1850	866 7 6	6,629 10 0	Mar. 13, 1851	April 1, 1851	Oct. 24, 1853	April 11, 1853	Nov. 10, 1854	—	—
Henry W. Briscoe,	E. White,	Sep. 3, 1850	Partition Case.	—	Jan. 24, 1851	April 15, 1851	—	—	—	—	—
Assignee of R. Majoribanks,	L. Duff,	Sep. 3, 1850	121 19 2	1,336 11 11	Jan. 27, 1851	Mar. 6, 1851	Dec. 16, 1851	April 29, 1852	May 7, 1852	Novem., 1852	Mar. 17, 1853
Elizabeth Thornton,	J. Tatlow,	Sep. 4, 1850	129 8 0	4,259 14 6	Jan 27, 1851	Feb. 27, 1851	Dec. 22, 1851	April, 1853	Feb. 4, 1853	July, 1853	Nov. 21, 1852
William Butler,	J. Tatlow,	Sep. 4, 1850	51 9 4	1,957 17 0	Jan. 25, 1851	Mar. 6, 1851	Nov. 3, 1851	Novem., 1853	May 27, 1853	Dec. 1, 1854	—
John Fair,	A. E. M'Clintock,	Sep. 4, 1850	1,397 7 4	23,249 15 3	Feb. 1, 1851	April 12, 1851	April 30, 1852	Feb. 5, 1853	July 21, 1853	Decem., 1853	Feb. 6, 1854
James Dillon,	W. Peebles,	Sep. 4, 1850	320 8 0	4,540 12 3	Mar. 14, 1851	July 9, 1851	Nov. 3, 1854	—	Nov. 12, 1853	—	—
Trustees of John Ahearne,	J. O. Woodhouse,	Sep. 5, 1850	34 0 0	1,764 14 8	Jan. 27, 1851	Mar. 4, 1851	—	—	—	—	—
Thomas Bolger,	J. Lord,	Sep. 6, 1850	394 5 10	3,002 11 11	Feb. 3, 1851	Feb. 26, 1851	April 1, 1851	Feb. 26, 1852	Nov. 8, 1853	—	—
Justin and R. M'Carty,	Orpen and Co.,	Sep. 7, 1850	Partition Case.	—	Mar. 3, 1851	April 14, 1851	—	—	July 20, 1852	Nov. 10, 1852	Jan. 17, 1853
Francis Lally,	D. Lyons,	Sep. 7, 1850	4 19 3 Part in owner's hands.	211 12 11	Jan. 21, 1851	Jan. 16, 1852	May 17, 1852	—	Feb. 4, 1852 —	—	—
William Gwynne,	R. Wilson,	Sep. 10, 1850	24 13 11	387 5 11	Feb. 8, 1851	May 22, 1851	—	—	June 22, 1852	Dec. 1, 1852	Feb. 9, 1853
Francis Sullivan,	Martin & Cartan,	Sep. 13, 1850	171 9 6	11,169 14 5	Feb. 4, 1851	Feb. 28, 1851	April 23, 1852	Oct. 25, 1853	—	—	—
Assignee of M. W. Clancy,	George Campbell,	Sep. 13, 1850	26 10 0 Part Unoccupied.	896 0 0	Feb. 8, 1851	April 14, 1851	Nov. 21, 1851	Dec. 10, 1851	Jan. 27, 1852	Dec. 2, 1852	Feb. 7, 1853
William Borough & Another,	Stokes & Croagh,	Sep. 14, 1850	Partition Case.	—	Feb. 3, 1851	Mar. 24, 1851	Dec. 12, 1853	Feb. 8, 1854	—	—	—
Justin M'Carthy & Another,	R. J. Orpen,	Sep. 14, 1850	6,110 2 4	53,399 3 2	Nov. 6, 1850	Nov. 28, 1850	Oct. 29, 1850	Jan. 25, 1851	Mar. 7, 1851	—	—
									Mar. 8, 1852		
									Mar. 19, 1852		
									July 8, 1852		
Stephen Gamble,	Foley&O'Sullivan,	Sep. 14, 1850	200 3 0	4,536 0 0	Feb. 3, 1851	Feb. 24, 1851	Nov. 6, 1852	—	—	—	—
William G. M. Clibborn,	Hallowes & Hamilton,	Sep. 16, 1850	31 18 9	525 0 0	Feb. 6, 1851	Mar. 26, 1851	—	—	—	—	—
Benjamin Nevin,	Hallowes & Hamilton,	Sept. 16, 1850	753 10 0	9,975 16 8	Feb. 8, 1851	April 1, 1851	Mar. 22, 1853	Feb. 27, 1854	—	—	—
Horatio W. Rochfort,	Hallowes & Hamilton,	Sept. 16, 1850	4,374 4 0	73,598 14 9	Feb. 3, 1851	Feb. 14, 1854	—	—	—	—	—
William Morris Reade,	Elliot & Newport,	Sept. 19, 1850	4,760 17 2	54,570 11 3	Feb. 10, 1851	May 15, 1851	Oct. 25, 1852	—	July 8, 1853	Dec. 1, 1854	—
Edward Hoare and Another,	Orpen and Co.,	Sept. 19, 1850	173 5 0	5,952 17 8	Feb. 10, 1851	May 31, 1851	May 14, 1852	April 26, 1853	Nov. 10, 1854	—	—
Theobald B. Aldwell,	Duckett & Gordon,	Sept. 21, 1850	342 6 0	1,145 4 6	April 9, 1851	Aug. 9, 1851	January, 1855	—	Nov. 17, 1854	—	—
John Wilmot,	Billing and Co.,	Sept. 21, 1850	723 13 9	5,724 1 7	Feb. 13, 1851	May 14, 1851	May 9, 1854	—	—	—	—
James Kirwan and Another,	James M'Fadden,	Sept. 23, 1850	659 11 8	2,458 14 7	Feb. 13, 1851	May 14, 1851	May 31, 1853	April 5, 1854	April 21, 1854	Jan. 24, 1855	—
R. E. Blackmore & Another,	William Peebles,	Sept. 24, 1850	Not stated.	3,638 9 7	Feb. 15, 1851	April 4, 1851	—	—	—	—	—
Frederick Stock,	H. A. Dillon,	Sept. 25, 1850	658 14 7	7,068 16 11	Feb 15, 1851	April 11, 1851	Sept. 25, 1850	Jan. 3, 1854	—	—	—
J. W. M'Loghlin & Another,	John Smyth,	Sept. 25, 1850	677 9 7	5,015 14 7	Feb. 11, 1851	Mar. 13, 1851	—	May 13, 1853	Feb. 13, 1854	Feb. 24, 1854	May 29, 1854

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued*.

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
Charles Josh. Curtin, .	W. Honehan, .	Nov. 9, 1850	240 18 11	8,168 9 1	Feb. 20, 1851	April 8, 1851	June 16, 1852	May, 1853	May 11, 1853	May 20, 1854	Dec. 11, 1854
Assignee of Edward Glover,	W. Honehan, .	Nov. 9, 1850	94 15 5	2,545 4 7	May 19, 1851	Sept. 15, 1851	Oct. 20, 1852 Jan. 8, 1855	—	—	—	—
Anna M. Leake & Another,	Delmege and Ferguson,	Nov. 9, 1850	475 16 1	10,132 17 2	Jan. 6, 1851	Mar. 3, 1851	—	—	July 7, 1853	—	—
George H. Moore, . .	Read & Crawford,	Nov. 11, 1850	1,530 10 1	4,653 9 3	May 19, 1851	July 3, 1851	Feb. 10, 1853 Aug. 8, 1854	April 17, 1854	July 13, 1854	Aug. 8, 1854	Nov. 3, 1854
Geo. F. Mowlds & Another,	J. T. Scallan, .	Nov. 12, 1850	154 3 8	3,814 9 10	Mar. 7, 1851	May 5, 1851	Dec. 13, 1854	—	May 19, 1853	—	—
Charles Lannon, .	J. Hall, . .	Nov. 12, 1850	591 3 10	7,957 17 5	Mar. 6, 1851	Aug 5, 1851	—	—	—	—	—
A. W. C. Hamilton, . .	R. Disney, .	Nov. 12, 1850	7,086 13 6	72,941 6 6	Mar. 11, 1851	Mar. 21, 1851	—	July 27, 1852 Nov. 27, 1852	July 5, 1852 June 21, 1853	June 17, 1853	Nov. 14, 1853
Thomas Ryan, . . .	Duckett & Gordon,	Nov. 13, 1850	310 12 5	3,980 17 0	May 19, 1851	Aug. 9, 1851	Oct. 29, 1853	—	—	—	—
Assignee of Rev. C. Fitzgerald,	M. Kenny, .	Nov. 13, 1850	339 3 7	20,462 1 1	Jan. 24, 1851	Feb. 12, 1851	Nov. 4, 1852	Dec. 15, 1852	Mar. 9, 1853	Nov. 23, 1854	—
William V. Smith, . .	J. Julian, . .	Nov. 15, 1850	172 6 11	2,848 0 0	June 9, 1851	Oct. 17, 1851	—	—	Dec. 5, 1854 Adjourned.	—	—
Hodder William Roberts, .	William O'Keefe,	Nov. 15, 1850	200 0 7	4,194 0 0	Mar. 18, 1851	May 16, 1851	June 30, 1852	Oct. 27, 1854	—	—	—
Assignee of William Boswell, and Another,	H. A. Dillon, .	Nov. 15, 1850	381 1 0	6,570 1 8	June 9, 1851	Sept. 13, 1851	—	Jan. 30, 1854	—	—	—
David Johnson, . . .	R. P. Tighe, .	Nov. 19, 1850	160 7 1	2,794 16 2	Mar. 6, 1851	May 29, 1851	—	—	—	—	—
John Fisher, . . .	William Walsh, .	Nov. 19, 1850	66 1 8	650 0 0	June 9, 1851	July 31, 1851	—	—	—	—	—
Assignee of John Tilson, .	M. Larkin, .	Nov. 20, 1850	76 13 10	1,425 5 10	Feb. 17, 1851	Mar. 13, 1851	—	—	—	—	—
Maria Houghton & Others,	M'Dougal, Perrin, and Co.,	Nov. 20, 1850	125 13 6	2,139 16 8	Feb. 1, 1551	July 18, 1851	Jan. 27, 1855	—	—	—	—
Daniel C. Coltsman and Another,	D. Mahony, .	Nov. 20, 1850	2,919 9 7	53,934 4 9	May 19, 1851	Aug 8, 1851.	April 1, 1853 June 15, 1853	June 7, 1854	July 13, 1854 Dec. 8, 1854	—	—
Sir Richard Keane, . .	A. Worthington,	Nov. 21, 1850	4,714 4 3	46,442 13 2	June 17, 1851	Aug. 9, 1851	Dec. 31, 1853	Oct. 27, 1854	—	—	—
Ellen Alleyne (*widow*), .	E. Mathews, .	Nov. 21, 1850	260 11 11	2,831 3 4	June 19, 1851	Dec. 20, 1851	—	Nov. 1, 1853	Nov. 7, 1853	Dec. 11, 1853	Feb. 13, 1854
Edward N. Dalton, . .	George Cooke, .	Nov. 22, 1850	202 8 8	3,076 17 1	Feb 22, 1851	April 4, 1851	Nov. 3, 1852	Jan. 3, 1854	June 2, 1854 July 19, 1854	Nov. 18, 1854	Jan. 15, 1855
Josh. C. M'Donnell (*a minor*),	Lewis and Howe,	Nov. 22, 1850	993 18 6	7,600 0 0	Feb. 10, 1851	May 5, 1851	—	May 27, 1853	Nov. 1, 1853	—	—
Anne Power and Others, .	R. O'Donnell, .	Nov. 22, 1850	295 9 9	5,880 13 1	Jan. 20, 1851	Mar. 24, 1851	Mar. 9, 1852	Dec., 1852	Feb. 8, 1853	July, 1854	Dec. 11, 1854
Andrew Hopkins, . .	Thos. M'Clelland,	Nov. 22, 1850	31 8 9	541 1 5	June 19, 1851	Aug. 9, 1851	Feb. 10, 1853	—	—	—	—
M. L. O'Connor and Others,	T. K. Sullivan, .	Nov. 26, 1850	Partition case.	—	Feb. 1, 1851	Nov. 2, 1851	Dec. 17, 1851	—	—	—	—
Ulick Jennings, . .	R. Power, .	Nov. 28, 1850	152 19 0	2,288 0 8	April 3, 1851	May 20, 1851	—	Mar. 25, 1852	April 6, 1852	Oct. 29, 1852	Jan. 29, 1853
Assignee of Wm. Wilkins, .	S. Baily, . .	Nov. 30, 1850	303 19 6	1,438 2 6	June 20, 1851	May 25, 1852	May 11, 1853	June 11, 1853	Feb. 21, 1854	June 20, 1854	Nov. 20, 1854
William H. Magan, . .	W. Gibson, .	Dec. 2, 1850	2,098 8 2	81,646 1 7	Jan. 9, 1851	Feb. 10, 1851	Oct. 29, 1851 Oct. 13, 1852	Mar. 17, 1854	Oct. 22, 1853 Feb. 8, 1855	Mar. 20, 1854	May 9, 1854
Richard Hungerford, .	F. H. Tuckey, .	Dec. 2, 1850	477 0 4	7,271 14 3	Jan. 24, 1851	Mar. 8, 1851	July 23, 1851	July, 1852	July 5, 1852	Jan. 17, 1853	Mar. 7, 1853
G. M. Swift, Lord Carlingford,	H. Flood, . .	Dec. 2, 1850	3,368 15 7	28,113 16 7	Feb. 27, 1851	April 29, 1851	—	Feb. 17, 1854	Dec. 12, 1854	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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A Return of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
Thomas Noblett and Others,	G. S. Wybrants,	Jan. 2, 1851	38 6 0	237 10 0	Feb. 17, 1851	July 15, 1851	—	—	Feb. 6, 1854	—	—
Morgan Barron,	J. B. Hearne,	Jan. 2, 1851	101 0 1	869 4 7	Jan. 6, 1851	Nov. 8, 1851	Nov. 22, 1851	June 16, 1854	—	—	—
Jeffry Martin and Others,	J. B. Hearne,	Jan. 3, 1851	113 13 9	2,831 2 11	July 29, 1851	Dec. 3, 1851	Nov. 14, 1854	Feb. 12, 1855	—	—	—
John O'Brien,	Bolton & Bolton,	Jan. 3, 1851	423 3 8	2,260 15 3	Aug. 4, 1851	Nov. 3, 1852	Nov. 4, 1853	Dec. 21, 1853	—	—	—
Charles F. Higgins,	H. A. Dillon,	Jan. 6, 1851	62 12 0	287 3 0	July 29, 1851	Oct. 16, 1851	Mar. 30, 1853	June 17, 1853	—	—	—
Peter Bell and Others,	G. S. Wybrants,	Jan. 6, 1851	30 10 8	300 0 0	Sept. 18, 1851	Mar. 2, 1852	July 8, 1852	May 13, 1853	July 12, 1853	—	—
Patrick A. Shannon,	J. Watts,	Jan. 8, 1851	779 9 2	16,339 12 1	Feb. 20, 1851	April 11, 1851	Oct. 29, 1852	Dec. 1, 1853	—	—	—
Arthur H. Irvine,	E. Collum,	Jan. 9, 1851	242 1 5	3,007 2 2	Jan. 9, 1851	Feb. 28, 1851	—	—	—	—	—
Sir Thomas Staples, bart.,	Lewis and Howe,	Jan. 10, 1851	6,510 17 11	15,892 6 1	Aug. 12, 1851	Dec. 3, 1851	Mar. 15, 1851	October, 1854	April 24, 1854 to Dec. 8, 1854	Decem., 1853	Jan. 30, 1854
James O'Hara,	Hart and O'Hara,	Jan. 10, 1851	2,144 18 6	27,713 12 6	Feb. 3, 1851	April 3, 1851	April 1, 1852	March, 1853	May 6, 1853 to July 1, 1853	Decem., 1853	Jan. 30, 1854
John H. T. Alston,	J. Ferguson,	Jan. 10, 1851	207 1 4	3,649 0 3	Aug. 12, 1851	Dec. 10, 1851	Nov. 27, 1852	May, 1853	June 17, 1853	Jan. 19, 1854	June 15, 1854
Trustees E. C. Giles & Others,	T. W. Croker,	Jan. 13, 1851	637 10 0	8,861 8 7	April 26, 1851	May 9, 1851	—	—	June 17, 24, & 28, 1853	—	—
Peter Fitzgerald,	Garde & Atkinson,	Jan. 13, 1851	2,962 1 11	58,300 15 0	Aug. 13, 1851	Dec. 12, 1851	Nov. 16, 1852	August, 1853	Oct. 28, 1853	February, 1855	—
Assignee of G. W. Percy,	J. Paris,	Jan. 13, 1851	115 4 9	1,246 16 8	Aug. 13, 1851	Nov. 22, 1851	Nov. 19, 1852	June, 1853	July 8, 1853	Nov. 14, 1853	Jan. 23, 1854
William Poole,	Jeremiah Mara,	Jan. 13, 1851	168 1 1	1,984 15 3	May 13, 1851	Aug. 30, 1851	Dec. 16, 1852	Novem., 1853	Dec. 24, 1853	April 24, 1854	July 22, 1854
John C. Judge,	M. Waldron,	Jan. 14, 1851	1,037 0 11	14,000 7 0	Jan. 24, 1851	Feb. 10, 1851	Oct. 14, 1851	Dec. 21, 1852	Dec. 10, 1852	May 9, 1853	July 25, 1853
Richard C. Lindsay,	J. O. Jones,	Jan. 14, 1851	75 7 0	5,109 19 4	Aug. 13, 1851	June 29, 1852	—	—	—	—	—
John Power,	D. Bastable,	Jan. 18, 1851	746 7 4	7,630 14 8	Feb. 21, 1851	April 7, 1851	Jan. 24, 1853	Oct. 25, 1853	—	—	—
Charles Morgan,	H. J. & T. Garrett,	Jan. 18, 1851	39 5 0	524 15 7	Feb. 8, 1851	July 8, 1851	—	—	—	—	—
Edward Hoare,	Orpen and Co.,	Jan. 20, 1851	173 5 0	5,952 17 8	Feb. 10, 1851	May 8, 1851	May 14, 1852	—	—	—	—
Trustees Morgan's Charity School,	Lewis and Howe,	Jan. 21, 1851	Partition case.	—	July 2, 1852	May 3, 1853	—	—	—	—	—
Ambrose L. Berry,	Lewis and Howe,	Jan. 21, 1851	111 16 0	2,100 0 0	Aug. 13, 1851	Dec. 3, 1851	Nov. 1, 1852	March, 1854	April 28, 1854	Nov. 1, 1854	—
Thomas Benson,	G. G. Twibill,	Jan. 22, 1851	53 10 5	824 6 10	Aug. 13, 1851	Nov. 18, 1851	April 2, 1852	October, 1854	Nov. 1, 1854	—	—
Margaret Mathers & Others,	Hitchcock & Black,	Jan. 22, 1851	45 0 0	1,356 4 4	Mar. 15, 1851	May 12, 1851	—	—	Nov. 14, 1854	—	—
Richard H. Gumbleton,	O. O'Brien,	Jan. 22, 1851	667 15 8	7,902 2 3	April 25, 1851	July 10, 1851	May 4, 1853 to Feb. 18, 1854	Feb. 28, 1854	June 1, 1854	—	—
Rebecca M'Farran & Others,	S. Bruce,	Jan. 23, 1851	104 15 0	1,533 0 0	Sept. 15, 1851	Feb. 5, 1852	June 1, 1853	—	—	—	—
John Bateman,	Stokes & Creagh,	Jan. 24, 1851	1,030 0 0	18,950 18 5	Feb. 8, 1851	Mar. 1, 1851	June 23, 1854 Jan. 13, 1851	June, 1851	July 8, 1851	Novem., 1852	Mar. 14, 1853
Rev. C. Barber,	C. and J. Gaussen,	Jan. 24, 1851	Partition case.	—	Mar. 17, 1851	May 22, 1851	—	—	Mar. 10, 1854	—	—
Anthony Charles French,	A. J. French,	Jan. 25, 1851	185 18 4	1,831 13 4	Mar. 27, 1851	Aug. 9, 1851	Dec. 11, 1851	October 1852	April 29, 1852	March, 1853	June 8, 1853
James V. Browne,	M'Causland & Co.,	Jan. 25, 1851	296 10 4	3,006 2 10	Sept. 5, 1851	Dec. 23, 1851	June 10, 1853 Nov. 10, 1854	April 7, 1854	Nov. 9, 1854	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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APER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
Executors of C. Swiney,	Patrick Scott,	Mar. 4, 1851	465 14 8	5,626 8 11	Mar. 6, 1851	April 28, 1851	June 11, 1853	Dec., 1854	Mar. 8, 1853	—	—
L. N. Nunn,	William Courtney,	Mar. 7, 1851	98 17 10	4,891 3 0	Sept. 8, 1851	Jan. 15, 1852	Jan. 25, 1853	—	—	—	—
Assignee of R. W. Bond,	William Johnson,	Mar. 7, 1851	468 5 11	3,354 4 3	Oct. 30, 1851	Jan. 20, 1852	Nov. 15, 1854 Oct. 12, 1853	—	—	—	—
J. S. Naylor and Another,	Hardman & Miller,	Mar. 8, 1851	259 4 2	1,668 18 3	April 5, 1854	June 10, 1854	April 7, 1854	—	—	—	—
Pierce Joseph Blake,	James Kilkelly,	Mar. 10, 1851	50 0 0	15,000 6 11	Sept. 8, 1851	Jan. 2, 1852	July 13, 1853	—	—	—	—
Lucy D. Skerrett,	W. M. M'Kay,	Mar. 10, 1851	Part in owner's hands. 1,734 14 10	21,433 3 1	Sept. 8, 1851	Dec. 3, 1851	Jan. 29, 1855 June 11, 1852	—	Jan. 23, 1855	—	—
William K. O'Sullivan,	Octavius O'Brien,	Mar. 10, 1851	1,104 2 11	12,476 10 4	Mar. 24, 1851	May 7, 1851	Jan. 31, 1855	—	—	—	—
Trustees of R. Malone,	John Smyth,	Mar. 11, 1851	12,912 0 1	78,644 17 2	Mar. 12, 1851	April 3, 1851	—	Oct. 27, 1854	Nov. 14, 1854	—	—
E. C. Knox,	W. H. Mecredy,	Mar. 11, 1851	374 17 9	5,126 7 9	May 30, 1851	July 18, 1851	Oct. 22, 1851	—	May 21, 1852	Dec. 9, 1852	Feb. 28, 1853
Henry Maxwell,	James Armstrong,	Mar. 11, 1851	95 17 4	1,250 0 0	Sept. 8, 1851	Mar. 17, 1852	Feb. 10, 1852 May 3, 1852	May 23, 1854	June 15, 1854	Feb. 8, 1855	—
Rev. B. O'Connor,	M. Mahony,	Mar. 12, 1851	179 16 11	1,660 10 10	May 5, 1852	Aug. 5 1852	Feb. 10, 1854 June 10, 1854	May 20, 1854	July 13, 1854	Feb. 3, 1855	—
John Lynch,	M'Causland & Co.,	Mar. 12, 1851	179 14 10	4,473 3 9	Sept. 8, 1851	July 14, 1852 Aug. 28, 1852	April 6, 1853	—	July 17, 1854	Feb. 15, 1855	—
Edward O'Dwyer & Others,	G. C. Kenny,	Mar. 19, 1851	280 5 0	7,716 14 9	May 31, 1851	Aug. 6, 1851	May 10, 1853	—	—	—	—
Edward Moore,	Abbott & Moore,	Mar. 19, 1851	443 14 7	10,464 14 5	Sept. 8, 1851	Dec. 30, 1851	April 21, 1853	—	—	—	—
Samuel P. Lea,	James M'Fadden,	Mar. 19, 1851	305 5 7	1,300 0 0	Dec. 1, 1851	Mar. 31, 1852	July 4, 1854 Nov. 10, 1853	April 3, 1854	May 25, 1854	—	—
Edwin M. Sandys,	J. M'Namara,	Mar. 20, 1851	373 4 3	14,105 7 8	April 10, 1851	May 23, 1851	Mar. 18, 1853	May 23, 1854	Feb. 1, 1855 June 29, 1854	—	—
Selina Devereux,	L. W. Corcoran,	Mar. 21, 1851	231 0 0	4,344 13 10	Sept. 9, 1851	Dec. 15, 1851	June 17, 1854 April 20, 1853	July 21, 1854	—	—	—
Edward Markham,	R. C. M'Nevin,	Mar. 21, 1851	235 1 0	1,784 12 3	June 7, 1851	Sept. 22, 1852	—	—	May 9, 1854	—	—
Robert Otway,	L. Dobbin,	Mar. 21, 1851	3,647 14 6	27,668 17 3	Sept. 9, 1851	Dec. 23, 1851	Dec. 3, 1852 Oct. 20, 1854	Feb. 13, 1854	Dec. 1, 1853 to May 11, 1854	—	—
Wm. M'Miller and Another,	J. Magill,	Mar. 24, 1851	Owner's possession.	240 0 0	Sept. 9, 1851	Dec. 8, 1851	Mar. 10, 1853 Jan. 10, 1855	—	—	—	—
P. M. Thornton,	Montgomery and Leech,	Mar. 24, 1851	1,647 1 11	11,763 0 10	Sept. 9, 1851	Jan. 23, 1852	Nov. 26, 1852 Oct. 22, 1854	—	—	—	—
Wm. H. Phibbs and Others,	John Moffatt,	Mar. 25, 1851	208 19 11	2,738 7 9	April 23, 1851	May 22, 1851	—	May 17, 1853	May 9, 1854	June 20, 1854	Nov. 20, 1854
Assignee of F. C. M'Donnell,	J. FitzGerald,	Mar. 25, 1851	222 3 0	6,648 6 9	Sept. 9, 1851	Nov. 10, 1851	—	—	—	—	—
Elizabeth M'Gusty & Others,	G. M. M'Gusty,	Mar. 25, 1851	629 19 0	11,597 3 0	Sept. 9, 1851	Jan. 3, 1852	July 24, 1852 Nov. 23, 1853	Oct. 17, 1854	Nov. 2, 1854	—	—
Patrick Kirwan & Another,	Thomas Crozier and Son,	Mar. 26, 1851	8,331 11 2	137,518 16 8	Oct. 17, 1851	Feb. 12, 1852	Mar. 26, 1853 Mar. 30, 1854	Jan. 26, 1854	Nov. 17, 1853	—	—

Mary Jordan,	W. H. Mecredy,	Mar. 26, 1851	1,069 18 2	3,884 4 7	May 31, 1851	Aug. 28, 1851	Jan. 9, 1854	May, 1854	June 30, 1854	Dec. 1, 1854		
Thos. Rowland & Another,	W. H. Allen,	Mar. 27, 1851	43 9 3	4,000 0 0	Sept. 9, 1851	May 8, 1852	Feb. 14, 1853	—	—	—		
			Part in owner's hands.				Feb. 17, 1854					
Edward Hussey,	Foot & Fitzsimons,	Mar. 28, 1851	626 5 6	6,529 1 7	Sept. 9, 1851	Mar. 9, 1852	Aug. 7, 1853	—	May 15, 1854	—		
							Dec. 15, 1853					
Robert Ellis,	Neilson and Girdwood,	Mar. 29, 1851	150 0 0	4,236 12 2	April 10, 1851	June 5, 1851	Feb. 1, 1853	Mar. 27, 1854	—	—		
							Jan. 12, 1855					
Michael Corban,	William Carey,	Mar. 29, 1851	78 7 6	214 17 6	April 3, 1851	June 9, 1851	—	—	—	—		
Bartholomew Gibbings,	G. F. Woodroffe,	Mar. 29, 1851	198 1 6	7,541 11 0	Oct. 25, 1851	Nov. 26, 1851	—	—	—	—		
Samuel Thompson,	W. M. Collins,	Mar. 31, 1851	12 0 0	1,700 0 0	May 10, 1851	July 2, 1851	May 1, 1852	Dec., 1853	Aug. 1, 1853	Feb. 2, 1855		
			Part in owner's hands.									
R. Sherwood and Others,	H. Battersby,	April 1, 1851	41 13 1	1,963 1 7	Sept. 9, 1851	Nov. 2, 1851	—	—	—	—		
			Part in owner's hands.									
George Whittle and Others,	Davison & Torrens,	April 2, 1851	606 1 7	5,824 0 0	Sept. 9, 1851	Jan. 27, 1852	May 2, 1853	Sept. 5, 1854	April 20, 1854	—		
							June 19, 1853					
Nicholas Bourke,	J. Hanley,	April 2, 1851	152 9 2	1,676 0 0	Sept. 9, 1851	Jan. 5, 1852	—	—	—	—		
G. H. Pentland,	Josh. Boothe,	April 3, 1851	1,770 5 7	11,079 13 3	Aug. 18, 1851	Jan. 12, 1852	—	—	—	—		
R. John Roe and Another,	Duckett & Gordon,	April 3, 1851	916 1 7	20,985 12 10	Oct. 1, 1851	Dec. 10, 1851	April 21, 1852	Dec. 9, 1853	—	—		
Executors of John Hackett,	J. J. Clarke,	April 9, 1851	70 0 0	1,687 3 9	Oct. 10, 1851	Dec. 1, 1851	—	—	—	—		
Margaret E. Shew & Others,	Connell Loughnane,	April 11, 1851	147 19 3	3,444 7 2	Nov. 4, 1851	Dec. 23, 1851	Nov. 25, 1853	Jan. 17, 1854	May 30, 1854	—		
Bartholomew Kelly,	Cullinan & Bunton,	April 12, 1851	263 17 8	3,427 19 10	Sept. 10, 1851	Dec. 3, 1851	Dec. 18, 1852	Nov. 8, 1853	—	Nov. 21, 1854	Jan. 15, 1855	
							May 22, 1852	Jan. 24, 1854				
Mary Foster and Others,	Hardman and Miller,	April 12, 1851	3,019 3 1	29,669 5 1	Sept. 30, 1851	Jan. 5, 1852	July 24, 1854	—	—	—	—	
Samuel Waring and Others,	W. J. Stirling,	April 14, 1851	812 0 10	15,034 16 0	Aug. 7, 1851	Jan. 5, 1852	April 16, 1853	May 8, 1854	—	—	—	
Francis Drew,	M. Driscoll,	April 15, 1851	642 4 7	18,914 8 5	Sept. 30, 1851	June 20, 1853	July 14, 1853	—	Nov. 29, 1853	Dec. 12, 1854	—	
									Nov. 7, 1854			
James W. Johnson,	Anderson and Findlater,	April 16, 1851	563 11 9	7,287 18 5	Oct. 10, 1851	June 22, 1854	—	—	—	—	—	
Hamilton White and Others,	B. Orpin,	April 16, 1851	1,323 12 10	29,595 15 0	May 13, 1851	July 24, 1851	Nov. 22, 1851	Oct., 1852	Dec. 3, 1852	June 3, 1854	Nov. 20, 1854	
									Nov. 28, 1854			
Edward Saunders,	Josh. Hanley,	April 16, 1851	33 14 3	165 0 0	Oct. 1, 1851	Dec. 30, 1851	—	—	—	—	—	
James Curtis,	John Gardiner,	April 23, 1851	Partition case.	—	Aug. 19, 1851	Dec. 22, 1851	—	—	—	—	—	
Geo. W. Vesey & Others,	Seymour & Webb,	April 23, 1851	657 12 8	59,856 19 9	Sept. 12, 1851	Dec. 20, 1851	May 30, 1853	May 21, 1854	Feb. 6, 1855	—	—	
Administrator of J. Johnston,	J. D. Meldon,	April 23, 1851	134 12 2	6,944 1 7	Sept. 18, 1851	Oct. 23, 1851	Nov. 5, 1853	Oct. 12, 1854	Feb. 6, 1855	—	—	
Andrew Moore,	W. M. Collins,	April 24, 1851	41 18 0	446 15 0	Sept. 26, 1851	Nov. 10, 1851	—	—	—	—	—	
James Langton,	Edward White,	April 26, 1851	985 2 10	11,741 6 1	Sept. 24, 1851	Nov. 12, 1851	—	Mar. 30, 1853	Nov. 22, 1853	Dec. 18, 1853	Feb. 13, 1854	
William Stephenson,	William Dalton,	April 29, 1851	197 4 5	1,950 18 8	Sept. 12, 1851	Nov. 17, 1851	May 10, 1852	Oct. 25, 1853	June 20, 1854	Dec. 15, 1854	—	
Anne Bingham and Others,	William Gibson,	April 29, 1851	1,966 2 6	7,862 15 7	June 2, 1851	Aug. 8, 1853	—	Jan., 1854	Feb. 28, 1854	Nov. 1, 1854	—	
									April 28, 1854			
Trustees William Belcher,	Newman & Tandy,	April 29, 1851	285 5 4	8,266 6 10	Oct. 1, 1851	Nov. 22, 1851	—	—	—	—	—	
Elizbth. M'Morry & Another,	Thomas Croker,	May 2, 1851	20 17 6	300 0 0	May 24, 1851	Aug. 2, 1851	—	—	—	—	—	
Assignee of John D. Kellett,	Francis P. Tydd,	May 2, 1851	935 6 11	6,383 7 7	Sept. 12, 1851	Jan. 15, 1852	Dec. 23, 1853	Oct. 12, 1854	—	—	—	
Assignees of John Fletcher,	O'Brien Dillon,	May 2, 1851	58 12 5	1,109 3 6	Sept. 29, 1851	Dec. 1, 1851	Jan. 29, 1853	Nov. 30, 1853	Nov. 21, 1854	—	—	
William Phibbs,	W. H. Mecredy,	May 2, 1851	261 18 5	15,538 13 3	June 17, 1851	July 19, 1851	Oct. 23, 1851	May, 1852	June 25, 1852	May, 1853	July 3, 1853	
Sophia Stoker (*widow*),	James Lane,	May 5, 1851	117 4 1	2,026 7 0	Sept. 30, 1851	Nov. 24, 1851	—	—	—	—	—	

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PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

A Return of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
John H. Peyton & Another,	John Faris, .	May 5, 1851	718 10 5	21,492 15 10	Aug. 11, 1851	Mar. 13, 1852	—	—	June 28, 1853	—	—
John Henry Blakeney, .	Frederick Sutton,	May 5, 1851	623 0 2	11,040 11 1	Sept. 17, 1851	May 21, 1852	—	—	July 4, 1854	—	—
									Feb. 6, 1855		
Edward Levesay & Another,	Frederick Sutton,	May 5, 1851	66 15 3	11,037 7 7	Sept. 24, 1851	Dec. 24, 1851	April 14, 1853	—	—	—	—
John Cochrane, . .	Abbott & Moore,	May 7, 1851	909 5 0	33,077 10 9	Sept. 29, 1851	Dec. 9, 1851	—	—	—	—	—
James Crofton Dodwell, .	D. Mahony, .	May 7, 1851	343 6 5	3,414 7 7	Sept. 13, 1851	Dec. 14, 1851	—	—	—	—	—
William Milligan & Others,	Lewis and Howe,	May 8, 1851	For Partition.	—	Aug. 5, 1851	Feb. 12, 1852	—	—	—	—	—
John M'Mahon and Others,	Robert Potter, .	May 10, 1851	308 15 6	2,552 10 0	Sept. 12, 1851	Jan. 24, 1852	June 27, 1852	May 18, 1854	—	—	—
Assignee of John L. Arabin,	F. G. Tinkler, .	May 10, 1851	Not stated in Petition.	77,044 13 6	Sept. 29, 1851	May 29, 1852	—	Jan. 10, 1853	May 24, 1853	Jan. 23, 1854	April 24, 1854
									Nov. 3, 1853		
Devisees of H. Smithwick, .	J. S. Abbott, .	May 10, 1851	556 14 8	3,742 0 6	Sept. 29, 1851	Dec. 2, 1851	Nov. 24, 1853	Oct. 12, 1854	—	—	—
John Rea, . . .	William Caldwell,	May 10, 1851	44 11 10	1,419 16 2	Sept. 9, 1851	Jan. 22, 1852	—	—	—	—	—
John Tuthill and Another, .	H. F. Burroughs,	May 12, 1851	1,308 2 0	14,612 12 0	May 19, 1851	June 24, 1851	Dec. 13, 1852	June 2, 1854	July 13, 1854	—	—
							Feb. 10, 1853		Nov. 23, 1854		
Jane S. Clifford & Another,	Joseph Honner, .	May 13, 1851	95 10 8	2,014 12 10	Sept. 29, 1851	Feb. 23, 1852	Jan. 19, 1854	Feb. 3, 1855	—	—	—
Mary Anne Grady, . .	Thos. Carmichael,	May 13, 1851	1,230 12 8	18,982 10 9	Sept. 16, 1851	Nov. 28, 1851	Mar. 18, 1852	April 19, 1853	—	—	—
William Ramsay, . .	Andrew Elliott, .	May 14, 1851	6 13 3	872 0 8	Oct. 10, 1851	June 8, 1852	Feb. 24, 1854	—	—	—	—
			Part in owner's possession.								
Assignee of P. F. M'Kenna,	Foley and Walsh,	May 15, 1851	224 1 5	1,848 3 9	Sept. 23, 1851	Nov. 22, 1851	Aug. 13, 1853	July 4, 1854	Nov. 14, 1851	—	—
C. Fetherstone H. . .	E. Fetherstone H.	May 15, 1851	112 1 0	1,827 7 0	May 26, 1851	June 27, 1851	Jan. 18, 1854	Nov. 3, 1854	—	—	—
Bury Doyne and Another, .	Seymour & Webb,	May 16, 1851	209 14 0	5,126 3 0	Sept. 12, 1851	Jan. 3, 1852	May 25, 1852	July 12, 1852	—	—	—
Administrator of R. C. Walker and Others,	R. B. Brunker, .	May 19, 1851	221 2 5	6,326 5 9	Aug. 11, 1851	Nov. 18, 1851	Mar. 9, 1853	Feb. 21, 1854	Nov. 28, 1854	—	—
John Gordon, . . .	Samuel L. Frazer,	May 21, 1851	93 12 6	4,806 9 10	Sept. 23, 1851	Nov. 21, 1851	June 30, 1853	June 9, 1854	—	—	—
			Part in owner's hands.								
Alexander Gordon, . .	Samuel L. Frazer,	May 21, 1851	93 9 3	1,278 5 7	Sept. 15, 1851	Dec. 11, 1851	June 30, 1853	June 9, 1854	—	—	—
Assignee of W. B. Bernard,	J. D. Meldon, .	May 22, 1851	80 0 0	1,392 6 2	Sept. 12, 1851	Dec. 1, 1851	—	—	—	—	—
Assignee of John Monaghan,	H. M. Lougheed,	May 23, 1851	51 3 8	2,766 12 9	Sept. 29, 1851	Jan. 19, 1852	May 18, 1852	Oct. 25, 1853	—	—	—
John Beahan and Another,	Daniel Lyons, .	May 26, 1851	109 4 5	751 4 0	Aug. 13, 1851	Dec. 3, 1851	June 3, 1853	February, 1854	Mar. 17, 1854	Feb. 1, 1855	—
									Jan. 19, 1855		
Michael Jones, . . .	P. King, . .	May 27, 1851	765 10 8	9,872 5 10	Aug. 18, 1851	Nov. 15, 1851	May 13, 1852	Oct. 28, 1853	June 20, 1854	Dec. 5, 1854	Jan. 29, 1855
Martin Tucker (*a minor*), .	James T. Lyons,	May 30, 1851	448 7 7	1,770 17 10	Aug. 19, 1851	Nov. 3, 1851	—	Jan. 10, 1853	May 10, 1853	June 23, 1853	Nov. 14, 1853
Anna Maria Mitchell, .	L. W. Hartstonge,	May 30, 1851	874 19 6	10,367 19 7	Aug. 18, 1851	Nov. 8, 1851	Feb. 16, 1853	Nov. 11, 1853	May 2, 1854	Feb. 9, 1855	—
James Hammond, . .	W. Roche, .	June 2, 1851	775 7 4	41,747 7 0	Oct. 10, 1851	Jan. 21, 1852	Dec. 3, 1852	March, 1853	May 20, 1853	Nov. 2, 1853	Feb. 27, 1854
									Mar. 10, 1854		
Cornelius O'Brien, . .	S. and E. Reeves,	June 6, 1851	1,003 12 5	21,625 12 7	Oct. 11, 1851	Dec. 17, 1851	July 7, 1853	Nov., 1854	Dec. 15, 1854	—	—
W. R. Yielding, . .	W. R. Yielding, .	June 6, 1851	205 1 0	1,103 6 2	Oct. 11, 1851	Dec. 3, 1851	—	—	—	—	—
Thomas Ryan, . . .	Robert Hemphill,	June 11, 1851	277 9 10	3,893 6 4	Sept. 9, 1851	Oct. 19, 1851	—	—	—	—	—
Saint John Crilly, . .	T. J. Purcell, . .	June 11, 1851	10 7 3	258 0 0	Oct. 11, 1851	Jan. 15, 1852	May 19, 1852	May, 1853	July 22, 1853	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

Sarah Baker,	J. T. Belcher,	June 11, 1851	52 2 11	1,362 3 0	Oct. 11, 1851	Jan. 29, 1852	—	—	—	—	—
W. Theophilus Sherlock and Another,	Stanley and Baker,	June 12, 1851	123 3 3	4,617 12 3	June 19, 1851	July 12, 1851	June 16, 1852	April, 1853	Mar. 4, 1853	Dec., 1854	Feb. 5, 1855
Joseph Swan Waddy and Others,	J. S. Waddy,	June 13, 1851	771 15 4	8,129 8 4	Dec. 2, 1851	Jan. 16, 1852	Oct. 27, 1853	—	—	—	—
Alexander Hawes,	Joseph Booth,	June 14, 1851	64 7 8	381 5 5	Oct. 11, 1851	Dec. 15, 1851	Jan. 26, 1853	Dec., 1853	Jan. 20, 1854	Nov. 4, 1854	Feb. 19, 1855
Beverly Usher Hearne,	J. B. Hearne,	June 17, 1851	432 19 9	3,515 14 6	Oct. 11, 1851	Dec. 4, 1851	April 25, 1854	February, 1855	Feb. 9, 1855	—	—
Assignee of N. Dunscombe,	Beamish and Armstrong,	June 19, 1851	205 0 0	4,572 12 10	Sept. 18, 1851	Jan. 5, 1852	—	—	May 31, 1853 April 4, 1854	—	—
William Sides and Others,	Simon Creagh,	June 23, 1851	22 15 1	226 19 3	Oct. 13, 1851	Feb. 2, 1852	—	—	—	—	—
Anna Maria Page & Others,	Galloway & Connor,	June 25, 1851	220 7 10	17,959 14 7	Oct. 14, 1851	Mar. 31, 1854	—	—	—	—	—
Trustees of William Scott and Others,	B. Scott,	June 26, 1851	215 4 10	4,092 6 2	Oct. 16, 1851	Dec. 23, 1851	Aug. 3, 1852	January, 1853	Mar. 4, 1853 Nov. 3, 1854	Nov. 21, 1853	Feb. 11, 1854
Lodge Phillips and Another,	John Ball,	June 27, 1851	142 0 6	4,481 10 0	Dec. 2, 1851	Jan. 16, 1852	Jan. 25, 1853	August, 1853	Nov. 4, 1853	Nov., 1854	Jan. 22, 1855
Thomas Scott and Others,	W. H. Mecredy,	July 1, 1851	1,170 3 10	13,712 13 0	Oct. 11, 1851	Oct. 20, 1851	Mar. 23, 1852	Dec., 1852	Various sales from June 25, 1852 to July 11, 1853	Mar. 21, 1853	Nov. 1853
John Turner Cooper and Another,	William Cullen,	July 1, 1851	626 18 7	7,104 15 10	Nov. 15, 1851	Dec. 18, 1851	Nov. 16, 1852	—	—	—	—
John Henry Lyster,	George H. Jacob,	July 1, 1851	622 8 5	6,327 18 2	Nov. 15, 1851	Jan. 26, 1852	Oct. 27, 1853	—	—	—	—
James Massey and Another,	Delmege and Ferguson,	July 2, 1851	96 10 0	12,318 17 0	July 9, 1851	Jan. 21, 1852	—	—	—	—	—
De Burgh Birch,	William M'Cay,	July 3, 1851	17 10 0	368 9 5	Aug. 4, 1851	Oct. 17, 1851	—	—	—	—	—
De Burgh Birch,	William M'Cay,	July 3, 1851	15 2 6	468 16 9	Aug. 10, 1851	Oct. 15, 1851	—	—	—	—	—
Susan Ivis and Others,	Smith and Whitestone,	July 4, 1851	Partition.	—	Aug. 11, 1851	Oct. 10, 1851	—	—	—	—	—
Frances Power,	Richd. O'Donnell,	July 4, 1851	2,667 4 9	86,975 0 8	Oct. 11, 1851	Jan. 21, 1852	—	—	Nov. 3 & 4, 1853 Dec. 17, 1853 Feb. 19, 1854	—	—
Edward Biggs,	Francis Kiernan,	July 5, 1851	621 18 3	8,913 13 6	Nov. 24, 1851	Mar. 10, 1852	Dec. 10, 1852	October, 1853	Nov. 18, 1853	Dec. 1, 1854	—
Lord Galmoy,	Thos. C. Butler,	July 9, 1851	862 16 2	5,672 17 2	Nov. 24, 1851	Jan. 21, 1852	Nov. 10, 1854	—	—	—	—
George G. Atkinson,	T. J. Purcell,	July 10, 1851	52 0 0	762 10 10	Nov. 24, 1851	Jan. 23, 1852	May 19, 1852	July, 1853	Nov. 29, 1853	—	—
Devisees of Right Honourable Sir John Newport,	Edward Elliott,	July 12, 1851	1,617 18 9	29,534 4 11	Nov. 24, 1851	Mar. 2, 1852	Oct. 29, 1853	—	—	—	—
Frederick Lidwell & Others,	Sibthorpe Bayley,	July 14, 1851	314 19 0	7,552 14 3	Dec. 15, 1851	May 25, 1852	Mar. 14, 1853	June, 1854	Feb. 3, 1854	—	—
John Watkins,	J. W. Braddell,	July 17, 1851	469 10 5	8,474 16 5	Oct. 23, 1851	Dec. 5, 1851	Nov. 4, 1852	April, 1853	June 24, 1852	Dec. 3, 1853	—
Mathew Jacob,	Samuel Wauchob,	July 18, 1851	Possession of owner.	348 15 9	Feb. 28, 1852	April 26, 1852	Mar. 20, 1854	Nov., 1854	Dec 15, 1854	—	—
Pilsworth Whelan,	L. W. Hartstonge,	July 19, 1851	433 14 9	7,578 11 2	Dec. 15, 1851	Mar. 3, 1852	Mar. 23, 1853	January, 1854	Feb. 17, 1854	February, 1855	—
Rev. John L. Irwin,	T. Franks,	July 21, 1851	1,815 10 4	41,518 0 0	Dec. 16, 1851	Mar. 2, 1852	Oct. 28, 1853	Nov., 1854	Jan. 19 & 26, 1855	—	—
Oliver Dowel, John Grace, &c.	P. Lawless,	July 21, 1851	1,968 16 2	27,698 10 4	Dec. 16, 1851	April 28, 1852	—	—	—	—	—
Trustees of J. O. Glenny,	Robert Cooper,	July 22, 1851	25 15 0 In possession of owner.	4,700 0 0	July 2, 1852	Aug. 19, 1852	July 30, 1853	June, 1854	Oct. 27, 1854	—	—
Joseph Kane Creed,	Jos. Kane Creed,	July 22, 1851	131 14 6	2,500 0 0	Feb. 9, 1852	Mar. 15, 1852	—	—	—	—	—
Robert Ellis,	Neilson and Girdwood,	July 23, 1851	150 0 0	4,236 12 2	Oct. 23, 1851	Dec. 4, 1851	Feb. 1, 1853 Jan. 12, 1855	Mar. 29, 1854	Feb. 8, 1855	—	—
Andrew Coffey,	Chas. W. Ruthven,	July 24, 1851	Possession of owner.	478 1 5	Mar. 4, 1852	May 7, 1852	—	—	—	—	—

PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
Patrick Blake and Others,	Robert Power,	July 28, 1851	162 8 11	13,852 11 3	Mar. 5, 1852	April 6, 1852	Dec. 8, 1852	October, 1853	July 15, 1853	Nov., 1854	Jan. 1, 1855
Thomas William Garde and Others,	Murdock Greene,	July 31, 1851	Partition.	—	Sept. 9, 1851	May 9, 1853	—	—	—	—	—
Assignee of Richard R. Roe,	Thomas S. Smith,	Aug. 2, 1851	916 1 7	20,985 12 10	Jan. 8, 1852	April 27, 1852	Jan. 25, 1853	—	Feb. 16, 1854	—	—
							Jan. 9, 1854				
John Studdert and Another,	James Worral,	Aug. 5, 1851	1,089 2 1	14,905 16 11	Aug. 13, 1851	Feb. 23, 1852	May 29, 1854	—	—	—	—
Rebecca Hartford,	Joseph Hanley,	Aug. 6, 1851	1,762 6 6	48,109 2 2	Jan. 6, 1852	April 26, 1852	Jan. 8, 1852	—	—	—	—
							May 27, 1854				
Gibbon Thomas FitzGibbon,	William Dalton,	Aug. 6, 1851	544 13 11	17,291 3 3	Dec. 8, 1851	Feb. 5, 1852	April 7, 1853	Nov. 8, 1853	Nov. 21, 1854	Dec. 15, 1844	Feb. 12, 1855
Very Rev. Chas. Vignolles,	M'Causland and Fetherstone,	Aug. 8, 1851	1,720 2 10	25,131 12 1	Jan. 8, 1852	Feb. 21, 1852	April 8, 1853	Oct. 14, 1854	Nov. 2, 1854	—	—
Rev. George C. Nash,	James Lane,	Aug. 9, 1851	892 2 7	13,003 13 10	Jan. 8, 1852	Mar. 10, 1852	May 23, 1853	Oct. 13, 1854	Nov. 2, 1854	Feb. 19, 1855	—
							July 17, 1854				
Nicholas H. Mahon,	Wm. H. M'Grath,	Aug. 9, 1851	446 19 5	9,035 8 10	Dec. 2, 1851	Jan. 17, 1852	Nov. 19, 1852	August, 1853	May 27, 1853	May, 1854	Nov. 13, 1854
									June 17, 1853		
Anne Perry and Others,	Thomas Croker,	Aug. 11, 1851	192 1 10	5,166 10 10	Jan. 8, 1852	April 24, 1852	May 17, 1853	—	—	—	—
Lovick Loftus Reade,	W. H. Brownrigg,	Aug. 11, 1851	236 12 4	2,896 19 1	Dec. 15, 1851	Mar. 2, 1852	—	—	Feb. 3, 1853	—	—
Charles Crawford,	Beamish and Armstrong,	Aug. 11, 1851	Possession of owner.	572 2 6	Jan. 8, 1852	Mar. 19, 1852	—	—	—	—	—
Mary Boyle and Others,	C. Denvir,	Aug. 13, 1851	16 15 9	112 9 2	April 10, 1852	June 24, 1852	—	—	Nov. 4, 1853	—	—
John Shea Lalor,	E. Murphy,	Aug. 16, 1851	664 3 0	5,055 2 1	Feb. 20, 1852	Sept. 7, 1852	Oct. 9, 1853	—	—	—	—
Margaret Algeo,	William Peebles,	Aug. 16, 1851	Not stated in Petition.	7,367 7 2	Jan. 8, 1852	Mar. 31, 1852	April 22, 1853	—	—	—	—
							Dec. 8, 1854				
Assignee of John Hamilton,	S. W. M'Neale,	Aug. 18, 1851	9 4 8	153 17 6	Jan. 8, 1852	April 24, 1852	Mar. 2, 1853	—	—	—	—
							Feb. 14, 1854				
William Crooke & Another,	Fras. M. Murphy,	Aug. 18, 1851	213 1 0	3,468 10 8	Jan. 8, 1852	April 5, 1852	Nov. 23, 1852	April 4, 1854	April 15, 1854	—	—
							May 6, 1853				
Jane M'Creight & Another,	A. W. M'Creight,	Aug. 19, 1851	287 1 7	1,758 13 6	Jan. 8, 1852	Dec. 23, 1852	Jan. 26, 1853	Nov. 10, 1853	Nov. 14, 1853	Dec. 18, 1854	—
							Nov. 14, 1853				
Catherine Davis & Another,	John Conroy,	Aug. 22, 1851	135 15 0	931 16 2	Dec. 15, 1851	Mar. 26, 1852	June 28, 1853	Feb., 1854	April 28, 1854	Dec. 1, 1854	—
Robert Weaver,	C. W. Ruthven,	Aug. 22, 1851	10 0 0	458 0 0	Jan. 8, 1852	—	—	—	—	—	—
			Part in possession of owner.								
James Roache and Another,	James Sweeny,	Aug. 23, 1851	394 9 11	7,358 9 4	Jan. 12, 1852	Feb. 10, 1852	Dec. 20, 1852	July, 1853	July 22, 1853	Dec. 30, 1853	Feb. 13, 1854
Edward Harnett,	Stokes & Creagh,	Aug. 26, 1851	95 0 0	2,017 1 2	Jan. 8, 1852	Feb. 17, 1852	—	—	—	—	—
John Bagwell Creagh,	Stokes & Creagh,	Aug. 26, 1851	1,838 15 3	7,763 5 7	July 2, 1852	Oct. 18, 1852	—	—	—	—	—
Christopher John M'Cabe,	Patrick King,	Aug. 26, 1851	96 19 7	484 8 2	Jan. 30, 1852	Mar. 12, 1852	Oct. 12, 1852	—	—	—	—
							Feb. 11, 1853				
Earl of Bantry,	John Litton,	Aug. 29, 1851	8,438 17 3	86,977 1 7	Jan. 8, 1852	July 22, 1852	July 21, 1853	Jan., 1854	Nov. 25, 1853	—	—
John O'Keeffe and Another,	Pierce Kelly,	Aug. 30, 1851	118 15 6	1,481 3 10	Jan. 9, 1852	Mar. 10, 1852	—	—	—	—	—

PAPER No. 4.

Return of the Names of all Cases now pending before the Commissioners.

Sir Richard Baker,	Gibson, Todd, and Co.,	Aug. 30, 1851	292 6 6	1,591 4 9	Jan. 10, 1852	Feb. 26, 1852	Nov. 15, 1852 Nov. 29, 1854	April 26, 1854	—	—	—
Thomas Ryan,	Joseph Hanley,	Aug. 30, 1851	Petition for partition.	—	Jan. 8, 1852	June 11, 1852	May, 1853 Oct. 29, 1853	—	—	—	—
Anne Ryan and Others,	Connell Loughnan	Aug. 30, 1851	68 18 4	546 7 2	Nov. 8, 1852	Nov. 15, 1853	April 3, 1852 June 29, 1854	—	Feb. 1, 1855	—	—
Richard Maxwell Fox,	G. R. Wade,	Sept. 2, 1851	2,598 6 11	30,168 13 4	Dec. 16, 1851	Feb. 5, 1852	Oct. 26, 1853	Jan. 12, 1854	May 18, 1854	—	—
Charles Arthur Moore,	J. D. Meldon,	Sept. 4, 1851	362 1 1	3,810 3 9	Nov. 6, 1851	Sept. 1, 1852	—	Jan. 18, 1854	May 9, 1854 June 17, 1854	—	—
Eugene O'Sullivan,	Myles Mahony,	Sept. 4, 1851	284 16 9	5,821 16 9	Nov. 5, 1851	Mar. 1, 1852	Dec. 30, 1852	Jan. 3, 1854	June 13, 1854	Nov. 25, 1854	—
Daniel St. George Jones,	Anderson & Findlater,	Sept. 10, 1851	1,264 10 11	21,636 19 3	Nov. 10, 1851	Feb. 2, 1852	Aug. 4, 1852	Oct. 27, 1854	—	—	—
James Gore,	Rodolphus W. Ryan,	Sept. 10, 1851	189 17 1	1,599 7 6	Nov. 5, 1851	Jan. 13, 1852	Nov. 28, 1853	Oct. 27, 1854	—	—	—
Richard Hannan & Another,	G. S. Wybrants,	Sept. 10, 1851	In possession of owner.	318 4 7	Nov. 12, 1851	June 15, 1852	July 5, 1853	Jan. 13, 1854	Nov. 3, 1854	Feb. 9, 1855	—
David Eng. Young and Another,	R. S. Mayne,	Sept. 11, 1851	160 4 4	1,900 0 0	Nov. 6, 1851	Jan. 10, 1852	Sept. 11, 1851	Jan. 31, 1854	Mar. 1, 1854	—	—
John Augustine Jevers,	J. Perry and J. Frost,	Sept. 13, 1851	409 17 8	3,969 12 11	Nov. 10, 1851	Jan. 12, 1852	—	—	—	—	—
Assignee of Richd. Plunkett,	R. C. M'Nevin,	Sept. 16, 1851	109 0 8	2,886 10 6	Nov. 5, 1851	Jan. 10, 1852	Sept. 16, 1851	Jan. 20, 1853	July 5, 1853	July 6, 1853	Nov. 28, 1853
Assignee of William Squire,	Louis G. O'Neill,	Sept. 16, 1851	249 10 10	5,436 19 10	Nov. 8, 1851	Jan. 3, 1852	Oct. 25, 1852	Feb. 14, 1854	June 18, 1854	June 28, 1854	Nov. 27, 1854
Edward Worth Newenham,	S. and E. Reeves,	Sept. 17, 1851	1,673 13 3	16,612 14 1	Nov. 10, 1851	Dec. 22, 1851	—	Jan. 10, 1853	May 31, 1853	July 4, 1853	Nov. 21, 1853
John William Johnston,	William Johnston,	Sept. 20, 1851	605 7 5	26,918 12 4	Nov. 28, 1851	Mar. 3, 1852	Nov. 18, 1854	—	—	—	—
Pierce Joseph Blake,	David Galbraith,	Sept. 23, 1851	Not known to the Petitioner.	23,509 13 8	Feb. 11, 1852	Feb. 20, 1852	May 27, 1852 July 13, 1854	—	—	—	—
Assignee of William Ware,	N. D. Murphy,	Sept. 23, 1851	19 2 4	Not known to Petitioner.	Nov. 28, 1851	Jan. 29, 1852	—	Nov. 15, 1853	—	—	—
Nicholas D. Crommelin,	H. Wallace & Co.,	Sept. 23, 1851	2,544 19 1	75,458 19 2	Sept. 29, 1851	Nov. 24, 1851	Feb. 12, 1851 April 12, 1854	—	—	—	—
William Murphy,	P. Scott,	Sept. 26, 1851	86 0 0	5,554 0 0	Dec. 12, 1851	Feb. 11, 1852	—	—	Oct. 29, 1853	—	—
Richard O'Donnell,	Edward Corcoran,	Sept. 27, 1851	162 19 0	3,460 11 6	Dec. 16, 1851	Nov. 1, 1852	—	—	April 28, 1854	—	—
Francis Edward Gwyn,	Anderson & Findlater,	Sept. 30, 1851	557 14 6	23,585 0 0	Jan. 16, 1852	May 31, 1853	Sept. 30, 1851	Oct. 27, 1854	—	—	—
Thadeus O'Dowda & Another	Isidore Bourke,	Sept. 30, 1851	574 13 1	6,196 0 2	Jan. 9, 1852	—	—	—	—	—	—
Benjamin Hill Gilman,	T. Sherlock,	Sept. 30, 1851	77 6 11	2,092 6 2	Dec. 23, 1851	Feb. 26, 1852	Dec. 17, 1852	Nov. 24, 1853	May 9, 1854	Jan. 25, 1855	—
Thomas Meagher,	John S. Abbott,	Oct. 3, 1851	14 6 0	203 12 0	Dec. 22, 1851	Feb. 26, 1852	—	June 6, 1853	Nov. 8, 1853	June 2, 1854	Nov. 6, 1854
Nicholas Lodge,	John Lawson,	Oct. 4, 1851	117 10 6	1,656 0 0	Dec. 22, 1851	Feb. 28, 1852	Nov. 24, 1852	June 9, 1853	Nov. 1, 1853 Mar. 28, 1854	June 1, 1854	Nov. 6, 1854
Henry Disney and Others,	John Lawson,	Oct. 4, 1851	66 5 0	1,548 18 4	Nov. 6, 1851	Feb. 14, 1852	Nov. 24, 1852	Nov. 22, 1853	—	—	—
Benjamin Lucas & Another,	W. P. Fletcher and Co.,	Oct. 4, 1851	313 6 6	9,108 5 9	Dec. 23, 1851	Feb. 23, 1852	—	Dec. 6, 1853	Nov. 22, 1853 Mar. 3, 1854	April 13, 1854	June 13, 1854
Robert Constable,	John Hunt,	Oct. 6, 1851	254 15 7	4,549 14 7	Dec. 30, 1851	April 3, 1851	Aug. 24, 1853	May 18, 1854	Jan. 23, 1855	—	—
Edward Hay and Another,	R. W. Ryan,	Oct. 6, 1851	62 18 0	1,321 12 0	Jan. 23, 1852	Mar. 8, 1852	Dec. 17, 1852	Nov. 22, 1853	April 20, 1854	—	—
Harry Jones,	Thos. Babington,	Oct. 6, 1851	625 0 10	1,277 9 3	Dec. 23, 1851	Mar. 2, 1852	Jan. 24, 1853	June 28, 1853	June 13, 1854	—	—
Richard Marshall Sadleir,	J. B. Kennedy,	Oct. 10, 1851	Partition.	—	Dec. 20, 1851	Nov. 1, 1852	—	—	—	—	—
John Gibbons,	Wm. Hitchcock,	Oct. 10, 1851	73 19 7	1,004 16 8	Jan. 12, 1852	April 24, 1852	Feb. 2, 1854	Nov., 1854	Nov. 17, 1854	—	—
Rev. Edwd. Day & Another,	Stokes & Creagh,	Oct. 10, 1851	538 15 11	3,407 3 1	Jan. 12, 1852	Jan. 22, 1852	June 4, 1852	May, 1852	Feb. 23, 1853 April 15, 1853	—	—

A Return of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
Henry O'Brien & Another,	J. B. Hearne,	Oct. 11, 1851	106 9 11	3,933 19 6	Jan. 12, 1852	April 16, 1852	Nov. 11, 1853	February, 1855	—	—	—
Alicia Smith and Others,	C. W. H. Archer,	Oct. 15, 1851	121 8 5	7,695 4 0	Jan. 12, 1852	Feb. 28, 1852					
Richard King,	C. W. H. Archer,	Oct. 15, 1851	Consolidated.				Jan. 3, 1853	June, 1853	April 29, 1853	March, 1854	July 8, 1854
Henry Blake,	Henry P. Woodroffe,	Oct. 17, 1851	91 4 0	2,124 13 0	Jan. 15, 1852	Feb. 26, 1852					
Prudence Miller and Others,	R. P. Tighe,	Oct. 20, 1851	2,239 12 2	26,940 9 11	Jan. 29, 1852	Mar. 12, 1852	—	—	May 6, 1853	—	—
Robert Frazer and Others,	Richard Meade and Son,	Oct. 21, 1851	527 6 11	8,404 6 10	Dec. 30, 1851	Feb. 21, 1852	—	June 2, 1854	—	—	—
			Exchange.	—	Oct. 21, 1852	No absolute Order.	—	—	—	—	—
Right Hon. Thomas Wyse,	Luke Duff,	Oct. 22, 1851	3,438 2 1	46,522 2 2	Jan. 12, 1852	Mar. 2, 1852	Jan. 21, 1853	October, 1853	May 27, 1853	April, 1854	July 9, 1854
William Carter,	Billing and Co.,	Oct. 22, 1851	35 13 9	978 5 6	Nov. 11, 1851	Jan. 20, 1852	—	—	—	—	—
Very Rev. John Head,	Octavius O'Brien,	Oct. 22, 1851	655 10 8	18,970 10 9	Jan. 12, 1852	Feb. 26, 1852	May 4, 1853	January, 1854	Nov. 25, 1853	Jan. 10, 1855	—
Richard Quin Sleemin,	Octavius O'Brien,	Oct. 22, 1851	525 3 0	12,647 5 0	Jan. 12, 1852	Feb. 26, 1852	May 14, 1853	—	—	—	—
W. Keane O'Sullivan,	Octavius O'Brien,	Oct. 29, 1851	402 19 2	23,763 13 8	Nov. 24, 1851	Feb. 14, 1852	April 6, 1852	Dec., 1853	May 12, 1854	—	—
David O'Shaughnessy and Another,	Octavius O'Brien,	Oct. 29, 1851	74 19 3	854 14 10	Nov. 24, 1851	Jan. 22, 1852	Nov. 11, 1852	Aug., 1853	Nov. 3, 1853	Dec. 1, 1854	—
John Southl. Brown,	Delmege and Ferguson,	Oct. 29, 1851	196 10 9	1,805 12 6	Jan. 12, 1852	April 10, 1852	Aug. 9, 1852	July, 1854	Mar. 10, 1853	Jan., 1855	—
Joseph Coppinger and Another,	Thos. K. Sullivan,	Oct. 29, 1851	217 6 1	2,148 12 11	Jan. 12, 1852	Dec. 2, 1852	April 22, 1853	July, 1854	July 5, 1854	Jan., 1855	—
Jas. Roughan and Another,	Richard Scott,	Oct. 30, 1851	180 13 4	2,615 16 4	Nov. 4, 1851	Jan. 3, 1852	Dec. 13, 1851	June 18, 1853	—	—	—
Frederick Clarke,	Henry Edwards,	Nov. 1, 1851	401 19 2	5,793 15 9	Jan. 12, 1852	Mar. 9, 1852	Mar. 9, 1853	Nov., 1853	Nov. 18, 1853	April 1, 1854	August, 1854
Sir Vere E. Perry De Vere,	Barrington, Son, and Jeffers,	Nov. 1, 1851	2,386 13 9	39,600 15 4	Jan. 12, 1852	April 29, 1852	Mar., 1854	—	Mar. 10, 1854 Dec. 8, 1854	—	—
John Michael Aylward,	James Blaykeny,	Nov. 1, 1851	908 0 1	27,432 19 11	Jan. 12, 1852	—	—	—	—	—	—
Richard Coulter,	Thomas Crozier,	Nov. 1, 1851	665 1 6	11,974 19 8	Jan. 12, 1852	April 5, 1852	Dec. 24, 1852	—	April 8, 1853	Dec., 1854	Feb. 2, 1855
Samuel Burne & Another,	Louis G. O'Neill,	Nov. 7, 1851	92 10 4	931 14 10	Jan. 12, 1852	April 3, 1852	July 14, 1853	Feb., 1854	Dec. 1, 1854	—	—
John Morton,	Vanston & Morton,	Nov. 7, 1851	214 16 4	2,193 1 10	Nov. 26, 1851	Jan. 27, 1852	Oct. 29, 1853	—	Nov., 1854	—	—
William Filgate,	James Booth,	Nov. 7, 1851	3,997 5 11	46,559 9 5	Mar. 6, 1852	June 17, 1852	June 14, 1853	March, 1854	May 5, 1854	Nov., 1854	—
James Splaine,	Geo. F. Woodroffe,	Nov. 8, 1851	249 8 8	2,892 8 6	Mar. 6, 1852	July 1, 1852	Mar. 8, 1853	April, 1854	May 19, 1854	Dec., 1854	—
William Hamilton Latham and Others,	A. H. Middleton,	Nov. 8, 1851	255 13 0	4,265 12 5	Nov. 14, 1851	Dec. 15, 1852	Jan. 25, 1853	June, 1854	Oct. 27, 1854	January, 1855	—
Madeline M'Carny,	Hugh Simpson,	Nov. 8, 1851	34 15 0	615 1 11	April 12, 1852	Oct. 25, 1852	April 20, 1854 Oct. 12, 1854	—	—	—	—
John Bindon Scott,	Octavius O'Brien,	Nov. 8, 1851	446 2 2	55,787 15 8	Nov. 10, 1851	Dec. 20, 1851	Feb., 1854	Dec., 1854	Nov. 3, 1854	—	—
Daniel O'Connor,	Robert Langford,	Nov. 10, 1851	30 6 0	394 19 6	May 6, 1852	June 15, 1852	Dec. 6, 1852	Nov., 1853	—	—	—
Massy Hutchinson Warren,	Thos. F. O'Connell,	Nov. 10, 1851	393 2 3	75,086 7 8	April 12, 1852	Dec. 11, 1852	—	—	—	—	—
Trustees R. B. Mitchell and Another,	M'Causland and Fetherstone,	Nov. 10, 1851	495 3 0	19,400 19 0	April 1, 1852	May 15, 1852	Jan., 1854	Mar., 1854	Mar. 24, 1854	February, 1855	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
James Porter,	O. R. Gamble,	Dec. 22, 1851	115 17 10	2,829 19 0	Mar. 2, 1852	May 8, 1852	July 21, 1853	June 1, 1854	Feb. 13, 1855	—	—
John Henry Blakeny,	Frederick Hutton,	Dec. 22, 1851	782 12 3	11,037 7 7	Dec. 31, 1851	May 15, 1852	Mar. 25, 1853	May 3, 1854	—	—	—
Emma Shatten,	Gilbert Kennedy,	Dec. 23, 1851	183 0 0	2,847 14 0	Mar. 2, 1852	April 27, 1852	May 24, 1854		—	—	—
Wm. Armstrong & Another,	Wm. H. M'Grath,	Dec. 24, 1851	Partition.	—	Mar. 20, 1852	July 11, 1852	—		—	—	—
ClementsDrennan&Another,	M. J. Smyth,	Dec. 24, 1851	Not stated.	667 12 0	Mar. 23, 1852	Sept. 4, 1852	Oct. 27, 1852		—	—	—
William Keon,	Thomas Kiernan,	Dec. 24, 1851	204 10 1	3,765 11 1	Mar. 23, 1852	April 27, 1852	May 6, 1853	Feb. 1855	—	—	—
Representative of John Cattan and Another,	C. & J. Gaussen,	Dec. 31, 1851	180 10 3	Not known.	Mar. 11, 1852	June 9, 1852	May 30, 1853	Feb. 17, 1854	—	—	—
Thomas Erskine and Others,	G. H. & J. M'Neill,	Jan. 2, 1852	181 14 10	1,193 2 1	June 17, 1852	Sept. 4, 1852	—	June 15, 1853	July 22, 1853	Dec. 16, 1853	Feb. 6, 1854
John Weir,	J. W. Brien,	Jan. 3, 1852	312 13 9	5,143 3 0	Mar. 13, 1852	May 28, 1852	April 15, 1853	April 2, 1854	—	—	—
John Lee,	ThomasW.Reeves,	Jan. 7, 1852	665 0 0	22,804 11 4	Mar. 17, 1852	May 12, 1852	—	—	—	—	—
Ellen Smyth, otherwise Bell,	William Cullen,	Jan. 9, 1852	2,778 8 7	21,169 11 8	Mar. 17, 1852	June 9, 1852	—	—	—	—	—
Assignee of Westrop Smyth and Another,	John Julian,	Jan. 9, 1852	Partition.	—	Mar. 19, 1852	June 10, 1852	—	—	—	—	—
William Pearson,	Lambert and Crozier,	Jan. 10, 1852	137 19 1	6,632 1 4	Mar. 24, 1852	June 11, 1852	Dec. 21, 1852	Oct. 12, 1854	—	—	—
Brien O'Connor and Others,	Daniel Lyons,	Jan. 12, 1852	4 7 6	92 6 1	June 16, 1852	July 2, 1852	—	—	—	—	—
John Wilson,	Geo. Carmichael,	Jan. 13, 1852	99 4 6	3,628 0 10	June 9, 1852	June 21, 1853	Nov. 29, 1853	—	—	—	—
Robert French,	Rd. C. M'Nevin,	Jan. 16, 1852	491 7 5	4,150 0 0	April 15, 1852	June 1, 1852	—	Mar. 5, 1853	Nov. 8, 1853	Nov. 10, 1853	Jan. 9, 1854
Trustees of R. Magan and Another,	W. P. Fletcher & Co.,	Jan. 20, 1852	211 14 2	2,381 6 5	Mar. 23, 1852	May 18, 1852	Oct. 24, 1852	—	June 24, 1853	Dec. 21, 1853	—
John A. Austin,	Jno. T. Hamerton,	Jan. 21, 1852	296 8 4	7,649 2 9	Mar. 26, 1852	June 8, 1852	June 13, 1853	April 18, 1854	—	—	—
Assignee of John Fitzgerald,	Monsell Worrall,	Jan. 22, 1852	63 1 6	650 13 3	April 16, 1852	June 25, 1852	Jan. 27, 1853	Nov. 8, 1853	—	—	—
Isidore P. Blake,	Ignatius Kelly,	Jan. 24, 1852	70 0 6	3,318 17 0	April 7, 1852	June 16, 1852	Dec. 23, 1853	—	—	—	—
John Dyas,	John S. Gamble,	Jan. 24, 1852	135 3 0	2,221 8 7	April 17, 1852	Mar. 17, 1853	Dec. 30, 1853	Oct. 27, 1854	—	—	—
Executor of Lord Fitzgerald,	John Vincent,	Jan. 27, 1852	1,049 9 0	56,513 17 2	Mar. 13, 1852	April 26, 1852	—	—	—	—	—
George Bradshaw,	Joseph Hanley,	Jan. 28, 1852	331 3 0	4,806 7 8	April 16, 1852	July 10, 1852	—	—	—	—	—
Administrators of William Garde,	Luke Duff,	Jan. 28, 1852	47 0 0	1,649 10 11	Mar. 24, 1852	June 19, 1852	Feb. 26, 1852	Mar. 1, 1854	—	—	—
Wm. Edward Grainger,	Cavanagh & Hegan,	Jan. 29, 1852	752 16 8	14,955 1 3	April 15, 1852	June 1, 1852	—	—	—	—	—
Charles Taylor,	Wm. H. Brownrigg,	Feb. 2, 1852	307 18 6	7,356 8 9	July 12, 1852	Dec. 10, 1852	—	—	—	—	—
Executors of C. P. Willoe and Others,	Edward Murphy,	Feb. 2, 1852	182 7 2	7,521 1 3	April 16, 1852	July 1, 1852	—	—	—	—	—
John James Austin,	C. Macartney,	Feb. 2, 1852	450 18 6	10,652 0 3	Mar. 26, 1852	Mar. 15, 1853	—	—	—	—	—
Rev. Edw. Jas. Hamilton,	Robert Arthur,	Feb. 3, 1852	446 11 11	11,039 10 11	Mar. 23, 1852	May 17, 1852	Feb. 20, 1854	Feb. 20, 1855	—	—	—
Assignee of Thos. Dwyer,	Geo. L. Wybrants,	Feb. 3, 1852	413 14 0	30,164 18 7	April 7, 1852	July 7, 1852	—	—	—	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
Jno. Sparrow, . . .	R. W. Ryan, .	Mar. 11, 1852	50 0 0 Part in owner's possession.	8,900 0 0	July 12, 1852	Sept. 4, 1852	Feb. 9, 1853	—	—	—	—
Jno. Bennett, . . .	R. W. Ryan, .	Mar. 16, 1852	79 9 2	930 18 4	July 12, 1852	Sept. 11, 1852	—	—	—	—	—
Thomas Grattan, . .	Thomas Ardill, .	Mar. 17, 1852	177 11 7	2,580 0 0	July 5, 1852	Nov. 4, 1852	Dec. 20, 1853	—	Nov, 2, 1854	—	—
Robert Carew, . . .	Lynn Carew, .	Mar. 17, 1852	378 15 0	4,763 18 9	July 5, 1852	Aug. 16, 1852	Dec. 9, 1853	—	Nov. 16, 1854	—	—
							Jan. 23, 1854		Dec. 23, 1854		
Assignee of H. O'Farrell and Another,	Jno. Egan, .	Mar. 19, 1852	29 3 0 Part in owner's possession.	5,096 3 6	July 5, 1852	Aug. 28, 1852	April 20, 1854	—	—	—	—
Burrows Kelly, . . .	L. G. O'Neill, .	Mar. 19, 1852	47 9 0 Part in owner's possession.	2,133 10 10	July 12, 1852	Nov. 12, 1852	July 18, 1853	—	—	—	—
							Jan. 19, 1854				
James Staunton Lambert, .	Frederick Sutton,	Mar. 20, 1852	5,065 9 7	70,583 0 6	July 12, 1852	Aug. 20, 1852	Dec. 24, 1852	—	—	—	—
							April 20, 1853				
Isaac C. Hawkes and Another,	John Franklin, .	Mar. 20, 1852	321 16 4	2,118 13 7	July 12, 1852	Dec. 30, 1852	Nov. 16, 1854	—	—	—	—
David Bell, . . .	A. & C. Newton,	Mar. 23, 1852	8 0 0 Part in owner's possession.	324 3 9	May 13, 1852	July 10, 1852	Jan. 14, 1854	Feb. 10, 1854	—	—	—
Geo. Montgomery Vaughan,	Lucas Waring, .	Mar. 26, 1852	89 16 9	3,100 0 0	July 12, 1852	Dec. 4, 1852	May 5, 1853	—	July 14, 1853	—	—
							Feb. 15, 1854				
John Brown, . . .	Robert Mease, .	Mar. 27, 1852	28 0 0	179 0 4	June 15, 1852	June 26, 1852	Jan. 11, 1853	July 8, 1854	—	—	—
William M'Crea, . .	Robert Mease, .	Mar. 27, 1852	77 3 8	4,557 3 8	June 15, 1852	Aug. 2, 1852	—	June 16, 1854	—	—	—
Arthur Koney, . . .	H. Grove Grady,	Mar. 29, 1852	23 1 6	216 18 2	June 4, 1852	July 16, 1852	Jan 4, 1853	—	April 20, 1854	—	—
							Dec. 4, 1854				
Assignee of George Keogh,	R. W. Cherry, .	Mar. 29, 1852	57 6 3	5,346 1 7	July 12, 1852	Dec. 11, 1852	Jan. 21, 1853	—	May 4, 1854	—	—
							June 21, 1854				
Redmond P. Dolphin and Others,	Thomas Stratford,	Mar. 31, 1852	185 15 5	1,867 10 5	July 12, 1852	Sep. 24, 1852	Mar. 2, 1853	—	May 25, 1854	—	—
							July 10, 1854				
Jno. Jones, . . .	John Bagnall, .	April 2, 1852	136 6 10	1,732 1 10	July 12, 1852	Sep. 6, 1852	Mar. 2, 1853	—	Nov. 30, 1854	—	—
							Dec. 6, 1853				
Thomas M'Grath, . .	Alex. M'Neill, .	April 3, 1852	237 1 10	1,600 0 0	June 11, 1852	Oct. 22, 1852	April 2, 1853	April, 1854	—	Nov. 1854	—
William Spread, . .	C. Fitzgerald, .	April 4, 1852	524 5 9	2,844 7 2	June 18, 1852	Dec. 11, 1852	April 4, 1854	—	—	—	—
Jno. G. N. Plunkett, . .	Alexander Foster,	April 5, 1852	697 0 10	8,384 12 3	June 19, 1852	Feb. 5. 1853	Dec. 4, 1854	—	—	—	—
Massy Hutchison Warren, .	Thomas F. O'Connell,	April 6, 1852	275 15 7	10,786 6 8	April 12, 1852	—	Nov. 3, 1852	Feb. 1854	—	—	—
Henry Grattan and Others,	Michael Hackett,	April 7, 1852	Partition Case.		April 24, 1852	Dec. 1, 1852	—	—	—	—	—
Edward E. Newenham, .	D. A. Magee, .	April 8, 1852	1,673 13 3	16,612 14 1	June 18, 1852	Aug. 25, 1852	—	—	—	—	—
Robert Ormsby, . .	S. V. Jackson, .	April 10, 1852	136 16 5	7,252 13 9	June 23, 1852	Oct. 8, 1852	—	—	—	—	—
Rev. Robert W. Gibbs and Others,	James Lane, .	April 14, 1852	557 1 10	3,478 12 6	April 13, 1852	June 17, 1852	Dec. 1852	Jan. 1853	Mar. 9, 1853	June, 1853	July 25, 1853
Trustees and Executors of J. Cooney,	John Fitzgerald,	April 16, 1852	85 15 10	329 7 8	Nov. 17, 1852	Mar. 3, 1853	July 16, 1853	April 22, 1854	Jan. 23, 1855	—	—

Paper No. 2.

Return of the Names of all Cases now pending before the Commissioners.

Patrick Higgins,	A. Sullivan,	April 17, 1852	50 0 0	532 14 6	June 23, 1852	Sep. 10, 1852	—	—	—	—	—
Philip Cornwall,	R. B. Bunker,	April 22, 1852	227 7 2	2,686 1 4	July 2, 1852	Oct. 3, 1852	—	—	—	—	—
Assignee of Thos. D. Kellett,	Francis P. Tydd,	April 22, 1852	Partition.		June 22, 1852	Nov. 4, 1852	—	Oct. 12, 1854	—	—	—
John Edward Butcher,	Robt. P. O'Brien,	April 23, 1852	17 9 0	1,151 16 8	July 15, 1852	Oct. 30, 1852	June 26, 1854	—	—	—	—
Rev. Edward Hassard,	John Stewart,	April 26, 1852	648 11 7	26,184 9 2	July 19, 1852	Oct. 26, 1852	April 20, 1854	—	—	—	—
Francis St. Leger Burton,	Henry G. Kelly,	April 29, 1852	589 6 2	12,648 9 2	July 1, 1852	Aug. 24, 1852	July 4, 1853	October, 1854	Adjourned Nov. 1854.	Feb. 1855	—
John Claudius Beresford,	H. & M. B. Lane,	May 1, 1852	157 3 1	21,704 5 6	July 15, 1852	Sept. 18, 1852	July 14, 1853	Jan. 3, 1854	—	—	—
Richard Donovan Speer,	J. H. Townsend,	May 3, 1852	574 0 6	8,666 7 11	July 15, 1852	Nov. 25, 1852	Jan. 25, 1854	Nov. 4, 1854	—	—	—
Massy Hutchinson Warren,	Edward Galway,	May 4, 1852	180 10 10	8,095 7 3	May 7, 1852	July 3, 1852	—	—	April 28, 1854	—	—
Robert Lucas,	Carmichael and Williams,	May 7, 1852	335 12 4	2,344 8 4	July 1, 1852	Sept. 22, 1852	Nov. 2, 1853	Aug. 1, 1854	June 30, 1854	—	—
Benjamin Jennings and Another,	Hart & O'Hara,	May 7, 1852	656 11 7	9,453 11 11	June 24, 1852	Sept. 9, 1852	Feb. 2, 1854	April 22, 1854	July 24, 1854	—	—
Assignee of J. J. Blackwood,	Wm. M. Collins,	May 8, 1852	49 0 3	408 17 0	July 22, 1852	Nov. 3, 1852	Nov. 15, 1854	—	—	—	—
Thos. Mercer and Another,	Matthew Glanny,	May 8, 1852	239 4 0	2,244 1 10	July 22, 1852	Nov. 6, 1852	Sept. 20, 1852	Oct. 12, 1854	—	—	—
Anthony O'Reilly,	Robert Smith,	May 8, 1852	Supplemental Petition.	—	May 18, 1852	Aug. 3, 1852	—	—	—	—	—
Thomas Haines,	Edward Galway,	May 10, 1852	20 7 6	1,036 17 5	July 1, 1852	Aug. 15, 1852	—	—	—	—	—
Trustees, Lord Farnham and Others,	A. C. M'Clintock,	May 10, 1852	8,482 5 0	93,155 15 10	July 17, 1852	Dec. 2, 1852	—	Oct. 25, 1853 Mar. 9, 1854	May 18, 1854 June 13 and 20, 1854.	June 12, 1854	Nov. 13, 1854
John Ward and Another,	L. W. Hartstonge,	May 10, 1852	29 15 8	450 18 6	July 2, 1852	Nov. 24, 1852	—	—	—	—	—
Devisees of R. H. Eyre,	John Litton,	May 11, 1852	Not stated in Petition.	81,350 3 0	July 1, 1852	Oct. 23, 1852	January, 1853	Dec., 1853	Nov. 25, 1854	—	—
Earl of Bantry,	John Litton,	May 11, 1852	8,438 17 3	68,977 1 7	July 1, 1852	Oct. 23, 1852	July 21, 1853	Dec., 1853	—	—	—
William Hardin Bradshaw,	Anderson & Findlater,	May 12, 1852	391 7 3	3,669 3 1	July 22, 1852	Nov. 5, 1852	July 31, 1854	—	—	—	—
Thomas Henry Kenny,	Delmege & Ferguson,	May 13, 1852	254 5 2	14,872 0 4	Dec. 18, 1852	Mar. 7, 1853	—	—	—	—	—
Trustees of Anne Alday and Another,	G. Hamilton and Son,	May 14, 1852	50 10 6	1,575 0 0	July 2, 1852	Dec. 1, 1852	June 23, 1853	Feb. 1854	Mar. 17, 1854	June, 1854	Nov. 13, 1854
Hon. Andrew Stuart and Others,	Newton and Armstrong,	May 15, 1852	285 1 3	16,559 1 8	May 18, 1852	June 17, 1852	Oct. 27, 1853	—	—	—	—
J. Jagoe, Assignee of W. Baldwin,	James Sweeny,	May 15, 1852	209 5 11	1,232 7 5	July 2, 1852	Dec. 1, 1852	Nov. 7, 1854	—	—	—	—
Assignee of G. F. Glover and Others,	A. E. M'Clintock and Others,	May 17, 1852	77 16 0	184 12 4	July 23, 1852	May 26, 1853	—	—	—	—	—
Robert Carew,	Edward Power,	May 17, 1852	947 0 11	6,511 0 8	July 5, 1852	Aug. 31, 1852	—	—	—	—	—
Patrick Ronayne,	James Morgan,	May 17, 1852	431 12 8	3,049 17 0	July 19, 1852	Sept. 6, 1852	—	—	—	—	—
Richard Clarke,	William Roche,	May 20, 1852	218 7 11	8,900 0 0	July 19, 1852	Sept. 18, 1852	—	—	July 8, 1853	—	—
Thomas Way Bayley,	Bernard Lynott,	May 20, 1852	218 12 9	2,267 3 7	June 28, 1852	Aug. 6, 1852,	July 25, 1853	May, 1854	June 16, 1854	Dec. 1854,	—
James Fitzsimons,	Alex. M'Cully,	May 20, 1852	34 3 0	163 5 1	July 19, 1852	Oct. 8, 1852	June 29, 1854	January, 1855	—	—	—
William Layers,	John Eyre,	May 20, 1852	534 7 6	4,212 0 0	July 2, 1852	July 27, 1852	Jan. 28, 1853	January, 1854	April 24, 1854 May 30, 1854	Dec. 1854	Feb. 5, 1855
Thos. Gerrard and Another,	R. & L. Cathcart,	May 21, 1852	809 0 4	7,549 19 5	July 2, 1852	June 3, 1853	Jan. 21, 1854	Dec. 1854	—	—	—
William Henry Carter,	Dickinson & Cusack,	May 22, 1852	1,544 1 2	62,379 0 2	July 15, 1852	Sept. 11, 1852	—	—	Oct. 31, 1854	—	—
Assignee of James Dillon,	Henry Graham,	May 22, 1852	Owner's possession.	2,384 2 2	June 4, 1852	July 28, 1852	April 28, 1854 May 24, 1854	June 26, 1854	July 20, 1854	Feb. 7, 1855	—
Francis Ryan, or O'Ryan,	John Bagnall,	May 24, 1852	85 17 0	1,000 10 5	Aug. 10, 1852	Oct. 12, 1852	—	—	—	—	—
Thomas French,	L. G. O'Neill,	May 26, 1852	139 19 0	929 14 7	Aug. 6, 1852	Dec. 4, 1852	July 14, 1853	April, 1854	June 9, 1854	Dec. 1854	—

A Return of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continue* .

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition,	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
Fras. Bateman and Another,	John Greene,	May 26, 1852	1,002 19 3	9,434 7 5	July 1, 1852	Sept. 8, 1852	Feb. 1, 1855	—	—	—	—
George Whitaker,	John Collum,	May 27, 1852	64 4 10	796 9 4	June 15, 1852	Aug. 7, 1852	—	—	—	—	—
Robert Dowse and Others,	G. L. Wybrants,	May 27, 1852	214 0 10	8,147 10 1	July 6, 1852	Oct. 22, 1852	Aug. 1, 1853	January, 1854	June 27, 1854	Dec. 1854	—
Robert Fetherston,	N. C. D'Arcy,	May 27, 1852	188 7 6	2,827 7 1	June 28, 1852	Sept. 16, 1852	Jan. 10, 1851 May 28, 1853 June 15, 1853 Dec. 5, 1853 Aug. 5, 1854	Nov. 22, 1854	Feb. 1, 1855	—	—
William Morris Reade,	Elliott and Newport,	May 28, 1852	Partition.	—	June 11, 1852	Sept. 1, 1852	—	—	—	—	—
Darius J.M'Egan,	L. G. O'Neill,	May 28, 1852	103 0 3	1,500 0 0	Aug. 6, 1852	Dec. 9, 1852	Mar. 24, 1854	Dec. 1854	Dec. 1, 1854 Jan. 19, 1855	—	—
Mahony Hart,	Matthew Kenny,	May 29, 1852	46 2 3	1,048 4 10	Nov. 8, 1852	Dec, 30, 1852	Oct. 27, 1853	—	—	—	—
Michael J. Browne,	Vesey Daly,	May 29, 1852	2,627 4 6	64,619 19 6	July 23, 1852	Sept. 8, 1852	—	Oct. 27, 1854	—	—	—
Cooke, Lucas, and Others,	H. G. Kelly,	May 31, 1852	150 5 3	558 4 9	July 5, 1852	Aug. 18, 1852	Jan. 25, 1853	April, 1854	Dec. 16, 1854	Nov., 1854	Jan. 15, 1855
John M'Donnell and Others,	William Mager,	May 31, 1852	Partition case.	—	April 19, 1853	June 24, 1853	—	—	—	—	—
Richard Mayne,	Pelham J. Mayne,	June 1, 1852	200 0 0	1,384 12 3	July 12, 1852	Oct. 15, 1853	—	—	—	—	—
Michael Doherty,	John Fyffe,	June 2, 1852	599 5 2	6,712 12 9	July 12, 1852	Aug. 30, 1852	Oct. 20, 1853 Dec. 16, 1853	—	—	—	—
Henry Coleman,	John Greene,	June 2, 1852	321 0 2	725 0 0 400 0 0	July 23, 1852	Sept. 9, 1852	—	—	—	—	—
John Revell,	Ralph B. Brunker,	June 2, 1852	702 2 4	12,678 13 6	July 12, 1852	Aug. 28, 1852	April 1, 1853 May 4, 1853 Oct. 29, 1853	Oct. 20, 1854	Nov. 9, 1854	—	—
George Little,	Jeremiah Perry,	June 3, 1852	150 5 3	1,558 4 9	July 12, 1852	Dec. 9, 1852	—	—	—	—	—
Thomas King,	John Frost,	June 3, 1852	192 14 0	1,857 15 0	July 12, 1852	Aug. 23, 1852	Jan. 22, 1853	Nov. 7, 1853	Nov. 2, 1854	—	—
Julia Watson,	Francis Kernan,	June 5, 1852	335 11 1	3,239 7 4	July 12, 1852	July 15, 1853	Dec. 1, 1854	—	—	—	—
Henry Thomas Baylee,	Mathew Kenny,	June 5, 1852	291 12 2	1,918 11 6	July 12, 1852	Sept. 2, 1852	—	—	—	—	—
Charles Cambie,	C. Fitzgerald,	June 8, 1852	269 3 5	8,585 16 2	July 22, 1852	Nov. 1, 1852	June 1, 1854	—	—	—	—
Thomas Hawkins,	G. S. Wybrants,	June 8, 1852	In Owner's Possession.	89 9 6	June 28, 1852	Sept. 7, 1852	—	—	—	—	—
Abraham Symes,	T. J. Purcell,	June 8, 1852	110 12 0	2,578 7 10	July 12, 1852	Nov. 5, 1852	Dec. 18, 1854	—	—	—	—
Robert M'Dowell,	Charles Thorpe,	June 9, 1852	32 17 3	650 1 3	July 12, 1852	Sept 7, 1852	Oct. 30, 1854	—	—	—	—
James Johnston,	Charles Daly,	June 9, 1852	40 16 9	1,130 3 1	July 23, 1852	Oct. 21, 1852	—	Oct. 12, 1854	—	—	—
Matthew St. George,	Thomas Stafford,	June 11, 1852	140 2 9	2,774 5 4	July 23, 1852	Sept. 11, 1852	—	June 6, 1853	Dec. 6, 1853	Dec., 1853	Feb. 20, 1854
George Williamson,	G. S. Warren,	June 15, 1852	118 10 8	1,376 18 8	July 27, 1852	Sept. 13, 1852	June 15, 1852	Feb. 27, 1854	—	—	—
William Fivy,	Fred. Hamilton,	June 15, 1852	108 0 5	28,225 17 2	July 27, 1852	Jan. 19, 1853	May 24, 1854	—	—	—	—
Robert Fivy,	Fred. Hamilton,	June 15, 1852	In Possession of Owner. 686 8 0	11,493 10 3	July 27, 1852	Jan. 19, 1853	Oct. 21, 1854	—	—	—	—
Mary Jugran and Others,	G. R. Labatt,	June, 17 1852	37 14 1	1,019 16 3	July 27, 1852	April 16, 1853	Feb. 11, 1854	Feb. 9, 1855	—	—	—
Chas. Hamilton & Another,	Tighe & Mecredy,	June 17, 1852	1,563 1 4	20,770 15 4	Aug. 6, 1852	Jan. 5, 1853	May 3, 1853	Feb. 6, 1854	—	—	—

Peter Holmes,	Hallowes and Hamilton,	June 18, 1852	2,352 15 0	31,859 11 3	Mar. 21, 1853	May 10, 1853	May, 1853	—	—	—	—
Mary Joyce,	Hallowes and Hamilton,	June 18, 1852	589 6 4	16,648 1 6	Aug. 6, 1852	Dec. 31, 1852	Jan. 10, 1854	April 21, 1854	—	—	—
William O'Sullivan,	Foot & Fitzsimons,	June 22, 1852	64 16 11	1,000 0 0	June 24, 1852	Aug. 7, 1852	—	—	—	—	—
Trustees of G. H. Talbot,	Edw. Carr, jun.,	June 22, 1852	1,050 7 8	16,889 2 2	Aug. 7, 1852	Nov. 11, 1852	—	June 30, 1853	July 26, 1853	Mar. 15, 1854	June 12, 1854
Charles Atkinson,	E. Fetherston,	June 22, 1852	367 3 4	13,909 8 6	Aug. 6, 1852	Dec. 13, 1852	June 2, 1854	—	—	—	—
Earl of Mornington,	Garde and Atkinson,	June 24, 1852	10,783 9 2	163,769 4 9	Mar. 15, 1851	April 29, 1851	—	Nov. 11, 1853	July 26, 1853 Nov. 21, 1854	Feb. 7, 1854	May 1, 1854
Trustees of Rose Dickey,	Harrison & Torrens,	June 24, 1852	74 7 4	1,578 13 8	Aug. 6, 1852	Feb. 17, 1853	—	—	—	—	—
Charlotte Jervois & Another,	Wm. H. Moore,	June 24, 1852	57 12 4	2,030 10 6	July 12, 1852	Nov. 10, 1852	Jan. 31, 1854 May 23, 1854 Nov. 2, 1854	—	—	—	—
Graves Chamney Graves,	John Egan,	June 25, 1852	1,027 1 11	18,183 9 4	Aug. 6, 1852	Dec. 1, 1852	Nov. 8, 1853	April, 1854	May 19, 1854 July 16, 1854	Dec., 1854	—
William Holland Kingston,	J. T. Belcher,	June 26, 1852	116 10 4	1,125 0 0	Nov. 8, 1852	Dec. 4, 1852	June 18, 1853	Feb., 1854	Mar. 24, 1854	July, 1854	Nov. 12, 1854
Charles Lowry,	H. Wallace & Co.,	June 26, 1852	111 16 8	1,872 3 4	Aug. 6, 1852	Dec. 13, 1852	Jan. 9, 1854	June, 1854	July 5, 1854	Dec., 1854	Feb. 13, 1855
John Dillon,	Delmege and Ferguson,	June 29, 1852	1,483 1 11	16,292 9 2	Aug. 6, 1852	Feb. 23, 1853	—	—	—	—	—
Thadeus O'Dowda,	Jno. T. O'Dowda,	June 29, 1852	481 5 0	6,243 2 8	July 12, 1852	Oct. 5, 1852	Dec. 9, 1853 Jan. 28, 1854 Feb. 22, 1854	Oct. 18, 1854	Nov. 9, 1854	Feb. 13, 1855	—
Daniel Moore Kilkelly,	Louis G. O'Neill,	June 30, 1852	505 0 6	5,117 14 9	Aug. 6, 1852	Nov. 24, 1852	April 24, 1854	Feb., 1855	—	—	—
A. M. M. Devereaux,	Thomas Ball,	June 30, 1852	10 13 11 Possession of owner.	1,155 1 4	July 12, 1852	Nov. 22, 1852	Nov 30, 1852 April 19, 1853 Nov. 23, 1853 Dec. 17, 1853 Dec. 19, 1853 May 27, 1854	May 27, 1854	June 29, 1854	—	—
George Lloyd and Another,	Rd. Worthington,	July 1, 1852	76 2 7	2,164 17 7	Aug. 7, 1852	Jan. 18, 1853	—	—	—	—	—
Earl of Carrick,	Hallowes and Hamilton,	July 1, 1852	214 16 6	31,283 1 6	July 14, 1852	Aug. 27, 1852	Nov. 20, 1852	Dec. 13, 1853	—	—	—
William Harvey,	Edward Kenny,	July 5, 1852	80 0 0	1,057 16 1	Aug. 12, 1852	Nov. 25, 1852	Mar. 10, 1853 May 18, 1853	Jan. 21, 1854	Nov. 2, 1854	—	—
Edward Munns,	William Johnston,	July 5, 1852	31 3 1	319 1 11	Aug. 12, 1852	Nov. 14, 1852	—	—	—	—	—
Arthur Gore,	Wm. and Robert Elliott,	July 6, 1852	Rental unknown to Petitioner.	2,914 10 0	Aug. 12, 1852	Nov. 2, 1852	Jan. 11, 1854 June 22, 1854 Jan. 20, 1855	—	—	—	—
John James Whyte,	John Robinson,	July 7, 1852	2,314 19 6	31,200 0 0	Aug. 12, 1852	Feb. 5, 1853	Aug. 10, 1854	—	—	—	—
Assignee of M. G. O'Connor,	John Eyre,	July 8, 1852	82 2 0	1,841 3 0	Nov. 8, 1852	Dec. 30, 1852	May 10, 1853	June, 1853	July 15, 1853	April, 1854	June 19, 1854
Henry Connor White and Others,	George Bolton,	July 9, 1852	141 8 10	5,580 15 3	Aug. 12, 1852	Feb. 5, 1853	April 30, 1853 Nov. 18, 1854	Nov. 28, 1854	Nov. 30, 1854	—	—
Anne Dopping and Others,	George M'Grath,	July 9, 1852	1,439 18 5	31,797 7 4	Aug. 12, 1852	Jan. 19, 1853	—	—	—	—	—
Earl of Miltown,	C. Macartney,	July 9, 1852	6,287 14 0	106,131 1 5	Aug. 6, 1852	April 28, 1853	July 9, 1853	Oct. 27, 1854	—	—	—
Edward Matthews,	Thomas Ball,	July 10, 1852	1,108 18 0	8,857 6 10	July 14, 1852	Aug. 28, 1852	July 16, 1854	May, 1854	June 30, 1854	Dec., 1854	—
Patrick Hayes Fox and Another,	Thomas and H. Geoghegan,	July 12, 1852	122 10 6	1,826 10 1	July 14, 1852	Sep. 10, 1852	July 12, 1852	Mar. 30, 1853	Dec. 6, 1853	—	—

A Return of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
James Joseph Norris,	W. Lyons,	July 12, 1852	69 4 6	4,989 0 0	Aug. 7, 1852	Dec. 14, 1852	Mar. 10, 1854	May, 1854	June 2, 1854	January, 1855	—
Edmond Dowell,	C. A. Bagot,	July 13, 1852	997 9 7	17,417 6 0	Aug. 7, 1852	Dec. 13, 1852	Dec. 12, 1853	—	—	—	—
Joshua Kell and Others,	John Murray,	July 14, 1852	556 13 6	59,498 12 7	Aug. 7, 1852	Jan. 24, 1853	June 6, 1853	May, 1854	May 26, 1854	Nov., 1854	Feb. 19, 1855
Michael Roberts,	George P. Woodrooffe,	July 26, 1852	712 17 5	11,646 7 8	Aug. 8, 1852	Jan. 20, 1853	June 20, 1854	—	—	—	—
John O'Sullivan and Others,	Chas. Fitzgerald,	July 28, 1852	387 16 3	5,500 0 0	Nov. 8, 1852	Jan. 21, 1853	Nov. 11, 1854	—	—	—	—
Henry Revell,	Geo. L. Nybrants,	July 30, 1852	46 3 1	4,361 9 8	Aug. 6, 1852	Dec. 31, 1852	—	—	—	—	—
Robert Marshall Leeson,	Lambert and Crosier,	July 31, 1852	2,927 6 5	91,446 0 5	Aug. 12, 1852	Dec. 1, 1852	Nov. 2, 1853 Jan. 10, 1854	April 20, 1854	May 25, 1854	—	—
The O'Gorman Mahon,	William Cullen,	Aug. 3, 1852	508 11 9	15,714 5 0	Dec. 30, 1852	Feb. 26, 1853	Oct. 18, 1853 Dec. 5, 1853 April 22, 1854	Jan. 23, 1854	Nov. 30, 1854	—	—
P. J. O'Kearney & Others,	John Greene,	Aug. 3, 1852	789 17 7	2,755 3 2	Aug. 9, 1852	Dec. 22, 1852	April 2, 1853	Nov., 1854	Nov. 24, 1854	—	—
James De Courcy & Others,	John Egan,	Aug. 5, 1852	245 11 5	1,396 15 6	Nov. 30, 1852	Dec. 20, 1852	—	—	—	—	—
Alexander Sandys,	John Egan,	Aug. 5, 1852	56 8 4	1,119 2 5	Dec. 28, 1852	Feb. 17, 1853	May 22, 1854 Jan. 13, 1855	—	—	—	—
Clayton Savage,	T. Crozier & Son,	Aug. 9, 1852	423 15 0	50,343 12 0	Dec. 28, 1852	June 1, 1853	Dec. 17, 1853 Jan. 17, 1854 July 5, 1854	April 18, 1854	May 11, 1854	—	—
Henry Thompson & Others,	G. T. Kinder,	Aug. 9, 1852	50 16 6	1,336 0 0	Dec. 30, 1852	May 14, 1853	Dec. 23, 1853 June 23, 1854 Nov. 27, 1854	—	—	—	—
B. Armstrong Stoney and Another,	R. Langford,	Aug. 10, 1852	202 6 8	1,846 3 1	Dec. 18, 1852	April 11, 1853	—	—	—	—	—
Rev. William Wall & Others,	George Bolton,	Aug. 10, 1852	93 17 9	1,190 0 0	Nov. 6, 1852	April 26, 1854	April 30, 1853 Dec. 5, 1853 Nov. 11, 1854	Oct. 23, 1854	—	—	—
George Keogh and Others,	H. S. Mecredy and Co.,	Aug. 10, 1852	446 11 4	2,023 1 7	Dec. 9, 1852	Oct. 11, 1854	—	—	—	—	—
Alcock Ottley,	Thomas R. Evans,	Aug. 13, 1852	582 4 1	4,135 0 1	Dec. 30, 1852	—	—	—	—	—	—
Susan Maria Yates,	W. Goddard & Son,	Aug. 16, 1852	2,433 13 1	22,815 0 0	Jan. 10, 1853	Mar. 5, 1853	Feb. 6, 1855	—	—	—	—
Rev. John Laur. O'Flynn,	Purcell & Hartford,	Aug. 18, 1852	130 0 0	1,119 18 6	Feb. 15, 1853	April 23, 1853	Jan. 9, 1854	Dec., 1854	Dec. 15, 1854	—	—
Walter Lambert,	R. & L. Cathcart.	Aug. 20, 1852	1,584 19 8	31,817 12 2	Dec. 16, 1852	Feb. 3, 1853	April 15, 1853 May 27, 1853 May 23, 1853	—	—	—	—
Charles Rolleston & Others,	A. R. Symes,	Aug. 20, 1852	278 7 0	4,519 4 6	Jan. 10, 1853	Feb. 23, 1853	Nov. 21, 1853	October 1854	Dec. 8, 1854	—	—
Edward Tipping,	Briscoe & M'Neill,	Aug. 20, 1852	2,692 8 7	35,076 1 10	Jan. 10, 1853	April 16, 1853	Nov. 21, 1853	Nov. 21, 1853	—	—	—
Robert Potter,	J. M. Higginson,	Aug. 21, 1852	347 7 5	5,082 7 1	Dec. 28, 1852	Mar. 16, 1853	Nov. 7, 1854 Nov. 22, 1854	—	—	—	—
Trustees Earl of Carrick,	Thomas Crozier,	Aug. 24, 1852	741 0 5	43,898 8 2	Nov. 19, 1852	May 4, 1853	Aug. 24, 1853	—	Dec. 9, 1853.	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

John Arthur Wynne,	Wm. Dix & Son,	Aug. 31, 1852	326 3 4	14,229 8 3	Jan. 10, 1853	Feb. 23, 1853	April 15, 1853	January, 1854	Mar. 17, 1854	May 1854	July 6, 1854	
Samuel George Beamish,	Daniel Bastable,	Sept. 3, 1852	115 18 10	2,692 16 7	Dec. 30, 1852	Mar. 15, 1853	Mar. 9, 1854	—	—	—		
Richard A. H. Kirwan,	James Henderson,	Sept. 3, 1852	2,373 6 8	35,030 12 9	Dec. 28, 1852	April 20, 1853	—	—	—	—		
Arthur I. Mahon,	John Vincent,	Sept. 7, 1852	420 0 0	3,540 18 4	Dec. 27, 1852	May 25, 1854	Oct. 31, 1854	—	—	—		
Stephen John Leonard and Another,	J. Robinson,	Sept. 10, 1852	396 4 9	3,414 12 1	Nov. 26, 1852	Jan. 20, 1853	—	—	—	—		
John Fitzpatrick & Another,	Thos. Carmichael,	Sept. 10, 1852	83 18 2	4,818 10 11	Dec. 30, 1852	Mar. 19, 1853	July 26, 1854	—	—	—		
							Jan. 20, 1855					
John Brown,	A. J. Chatterton,	Sept. 11, 1852	216 11 2	1,918 10 2	Nov. 30, 1852	Jan. 21, 1853	Feb. 8, 1855					
							April 15, 1853	Jan. 25, 1854	Nov. 6, 1854	—		
							April 23, 1853		Jan. 16, 1855			
							June 13, 1853					
							May 31, 1854					
							Nov. 9, 1854					
							Dec. 19, 1854					
Edward Mulligan,	Peter Gorman,	Sept. 16, 1852	198 2 1	1,826 11 1	Dec. 26, 1852	—	—	—	—	—		
Luke Jos. Shea,	N. D. Murphy,	Sept. 17, 1852	654 8 5	11,566 9 0	Dec. 28, 1852	Mar. 10, 1853	Nov. 4, 1853	Mar. 2, 1854	Mar. 16, 1854	—		
							Nov. 23, 1853					
Charles Pratt and Others,	Edward Piers,	Sept. 17, 1852	183 7 7	1,967 16 1	Jan. 5, 1853	Aug. 15, 1853	Feb. 3, 1854	Nov. 1854	Nov. 10, 1854	—		
James Ridley,	R. R. Todd,	Sept. 18, 1852	55 2 3	604 0 0	Dec. 30, 1852	Jan. 24, 1853	—	—	—	—		
Richard Gason,	James Burke,	Sept. 24, 1852	113 18 4	7,816 18 3	Jan. 11, 1853	Mar. 1, 1853	—	—	—	—		
Sir Jno. R. Bunbury & Others,	L. Dobbin & Co.,	Sept. 27, 1852	Partition Case.	—	Nov. 24, 1852	Jan. 31, 1853	—	—	—	—		
Matilda Bagnall,	John Bagnall,	Sept. 28, 1852	168 12 2	1,889 19 6	Dec. 27, 1852	Feb. 26, 1853	Sept. 28, 1852	April 25, 1854	Feb. 6, 1855	—		
Edward Murphy,	Cullinan & Bunton,	Sept. 30, 1852	71 5 0	4,055 5 7	Feb. 21, 1853	April 10, 1853	—	June 2, 1854	—	—		
John Moore,	George Bolton,	Sept. 30, 1852	49 15 10	1,419 9 8	Dec. 24, 1852	Feb. 26, 1853	June 4, 1853	Oct. 25, 1853	—	—		
T. Gregg, Murray, & Others,	Robert Arthur,	Oct. 1, 1852	136 9 3	2,740 9 2	Jan. 10, 1853	Feb. 19, 1853	Feb. 27, 1854	—	—	—		
John Stanford,	J. D. Meldon,	Oct. 2, 1852	66 10 0	760 7 4	Dec. 7, 1852	Feb 7, 1853	—	—	—	—		
J. Sutherland Law,	Graves and Bond,	Oct. 2, 1852	1,391 5 11	29,480 6 2	Dec. 27, 1852	Jan 28, 1854	—	—	—	—		
Assignee of Rich. Blackwood,	John Bagnall,	Oct. 5, 1852	1,185 5 2	28,957 10 5	Dec. 27, 1852	April 16, 1853	—	Nov. 3, 1854	—	—		
Nicholas Whiting & Others,	Richard Orpen,	Oct. 6, 1852	964 8 10	20,884 16 5	Nov. 17, 1852	Jan. 17, 1853	Dec. 3, 1853	Jan. 11, 1854	May 7, 1854	Dec. 19, 1854		
Assignee of W. O. Herbert,	Richd. O'Donnell,	Oct. 7, 1852	78 7 11	4,964 2 6	Dec. 27, 1852	Feb. 24, 1853	Oct. 7, 1853	Oct. 12, 1854	—	—		
William R. Tredennick,	Forrest Reid,	Oct. 8, 1852	247 2 3	4,414 12 3	Jan. 10, 1853	Mar. 10, 1853	Aug. 1, 1853	Jan. 1855	Jan. 12, 1855	—		
James H. Moore,	Abbot and Moore,	Oct. 8, 1852	476 8 3	6,326 14 7	Dec. 24, 1852	Mar. 19, 1853	—	—	—	—		
Richard Flood Smith,	James Burne,	Oct. 11, 1852	489 3 6	12,330 7 8	Dec. 20, 1852	May 18, 1853	—	—	—	—		
Susannah D. Spry,	Geale and Dwyer,	Oct. 12, 1852	86 17 9	606 16 0	Jan. 10, 1853	April 6, 1853	April 25, 1854	Oct. 1854	Oct. 31, 1854	—		
George Clarke,	J. H. Dunne,	Oct. 12, 1852	50 0 0	848 0 0	Dec. 27, 1852	Mar. 14, 1853	Nov. 28, 1854	—	—	—		
			Part in owner's possession.									
John Kavanagh,	Purcell & Doyle,	Oct. 14, 1852	48 17 9	168 15 10	Dec. 27, 1852	Feb. 25, 1853	Oct. 11, 1854	—	—	—		
William Mooney,	T. Cronhelm,	Oct. 16, 1852	210 6 8	2,098 11 1	Dec. 14, 1852	Feb. 21, 1853	—	—	—	—		
William Kelly,	William Cullen,	Oct. 18, 1852	104 0 0	29,752 6 8	Jan. 10, 1853	Feb. 28, 1853	January, 1854	April, 1854	June 16, 1854	January, 1855		
			Another Petitioner in this Matter.									
Eliza F. Seymour & Another,	Battersby & Carroll,	Oct. 18, 1852	146 8 10	1,610 4 0	Jan. 10, 1853	April 23, 1853	Nov. 26, 1854	—	—	—		
Catherine Murphy & Others,	L. W. Corcoran,	Oct. 20, 1852	79 19 9	2,208 4 0	Dec. 20, 1852	June 8, 1853	—	—	—	—		
Henry Flood,	Jos. Honner,	Oct. 20, 1852	353 2 5	1,645 17 1	Jan. 3, 1853	Feb. 27, 1853	—	—	—	—		
J. E. Menons,	William Gibson,	Oct. 23, 1852	20 0 0	465 12 0	Jan. 10, 1853	Feb. 22, 1853	—	—	—	—		
W. H. C. Marrett,	Edwd. Simmonds,	Oct. 25, 1852	98 2 8	1,400 14 1	Jan. 10, 1853	Mar. 1, 1853	Nov. 4, 1853	Novem., 1854	Dec. 8, 1854	—		

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PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
Thomas Neal and Others,	C. & J. S. Gaussen,	Oct. 25, 1852	61 15 11	468 12 9	July 23, 1853	May 6, 1854	—	—	—	—	—
John Purcell,	Hamilton & Sons,	Oct. 27, 1852	161 9 2	1,787 4 0	Jan. 10, 1853	Feb. 25, 1853	Dec. 6, 1854	—	—	—	—
James Short and Others,	Horan & Bourke,	Oct. 28, 1852	67 17 0	5,966 11 10	Jan. 10, 1853	Feb. 21, 1853	June 22, 1853	May, 1854	June 30, 1854	—	—
Edward E. Newenham,	Parker & Large,	Oct. 28, 1852	4,025 5 8	49,623 3 4	Dec. 1, 1852	Jan. 26, 1853	—	—	—	—	—
John Dominick Bodkin,	John Egan,	Oct. 28, 1852	666 15 9	63,495 4 2	Dec. 30, 1852	April 16, 1853	May 12, 1852 Nov. 3, 1853 Jan. 3, 1854	—	—	—	—
James Huffington & Others,	James Barrett,	Oct. 29, 1852	332 9 5	983 18 10	Nov. 26, 1852	Jan. 18, 1853	July 13, 1854	—	—	—	—
Denis Brennan Bullen,	D. A. Magee,	Oct. 29, 1852	9 0 0	300 0 0	Jan. 10, 1852	Feb. 23, 1853	Nov. 3, 1853	October, 1854	Nov. 1, 1854	—	—
Jos. Morton and Another,	G. G. Tyrrell,	Nov. 1, 1852	11 2 4	519 12 0	April 18, 1853	June 3, 1853	Jan. 23, 1854	—	—	—	—
Herbert B. Praed,	Philip W. Bass,	Nov. 1, 1852	1,739 5 10	38,566 6 1	Feb. 24, 1853	June 4, 1853	Jan. 20, 1855 Feb. 13, 1855	—	—	—	—
Robert Bullen,	Murdock Green,	Nov. 4, 1852	623 7 9	923 1 6	Mar. 11, 1853	Dec. 23, 1853	Feb. 22, 1854 Nov. 2, 1854	—	—	—	—
Josiah Rowley,	J. V. Jackson,	Nov. 4, 1852	1,626 7 0	10,156 15 4	Dec. 1, 1852	Jan. 10, 1854	—	—	—	—	—
Thomas Oxley,	C. & J. S. Gaussen,	Nov. 6, 1852	161 0 0	2,911 10 10	Mar. 7, 1853	June 16, 1853	Jan. 27, 1854	—	—	—	—
Abraham John Creighton,	John Bradshaw,	Nov. 8, 1852	22 12 4	552 16 2	Jan. 17, 1853	Mar. 1, 1853	May 17, 1853 Jan. 16, 1854	June 3, 1854	June 29, 1854	—	—
Philip Lawless and Others,	Peter M'Keogh,	Nov. 9, 1852	213 12 6	2,399 19 8	Feb. 16, 1853	May 11, 1853	Mar. 7, 1854	—	—	—	—
Bridget Fleming,	Thos. M. Lyster,	Nov. 11, 1852	34 0 0	640 12 3	Jan. 17, 1853	Feb. 28, 1853	—	—	—	—	—
Thomas M'Mahon,	R. Meade & Son,	Nov. 15, 1852	691 10 10	13,074 11 9	Jan. 17, 1853	April 6, 1853	—	—	—	—	—
Henry Peter Lestlake,	Foley & O'Sullivan,	Nov. 15, 1852	231 5 0	3,115 12 1	Dec. 29, 1852	Feb. 1, 1853	—	—	—	—	—
Thomas Ryan,	Joseph Harvey,	Nov. 16, 1852	415 6 6	2,575 4 9	Dec. 8, 1852	Feb. 14, 1853	June 4, 1853 Oct. 29, 1853	—	—	—	—
Viscount Guillamore,	J. Bagnall,	Nov. 17, 1852	6,213 10 7	42,583 14 10	Dec. 28, 1852	June 29, 1853	Nov. 7, 1854	—	—	—	—
Jeremiah Pounden,	Samuel Moore,	Nov. 19, 1852	Not known.	32,461 10 9	Dec. 29, 1852	Jan. 25, 1853	—	—	—	—	—
William Horne,	John Julian,	Nov. 20, 1852	22 18 9	151 6 2	Dec. 29, 1852	Jan. 10, 1853	Nov. 20, 1854	Jan. 3, 1853	—	—	—
Mary Johnson and Others,	E. Wright,	Nov. 22, 1852	In Owner's hands.	8,471 10 0	Dec. 27, 1852	April 7, 1853	June 20, 1853	Nov. 24, 1853	June 13, 1854	Dec. 5, 1854	Feb. 5, 1855
Alexander Major & Others,	William Magee,	Nov. 22, 1852	65 11 3	803 5 0	Jan. 10, 1852	June 11, 1853	—	—	—	—	—
Mary Steele,	Robert Murdock,	Nov. 24, 1852	Another Petition.	600 0 0	Dec. 20, 1852	Mar. 2, 1853	Jan. 2, 1854	April 8, 1853 Mar. 1, 1853	July 5, 1853	Oct. 27, 1853	Jan. 9, 1854
John Andrew Kirwan,	J. Litton,	Nov. 24, 1852	1,004 0 0	19,099 10 0	Dec. 29, 1852	April 25, 1853	May 11, 1854	Nov. 9, 1854	—	—	—
Thomas Henry Hewitt,	Rich. M'Namara,	Nov. 25, 1852	475 8 4	17,155 9 10	Dec. 29, 1852	Feb. 25, 1853	—	—	—	—	—
James Shirley,	Daniel Ruttle,	Nov. 25, 1852	92 18 8	3,649 17 8	Jan. 17, 1853	April 10, 1853	Oct. 26, 1853	June, 1854	Oct. 27, 1854	—	—
Richard A. Billing,	George Bolton,	Nov. 26, 1852	228 2 6	2,244 8 7	Feb. 16, 1853	Feb. 9, 1853	Nov. 12, 1853	Nov. 20, 1854	Nov. 24, 1854	—	—
Assignee of Samuel Harpur,	Thomas Kiernan,	Nov. 26, 1852	68 13 2	1,649 1 0	Jan. 18, 1854	May 20, 1854	Jan. 18, 1855	—	—	—	—
Assignee of Rich. Barrett,	James Elliott,	Nov. 27, 1852	86 10 2	776 9 4	Jan. 20, 1853	Mar. 24, 1853	—	—	—	—	—
Prudence White,	Wm. Hitchcock,	Nov. 27, 1852	138 15 7	838 9 1	June 20, 1853	Aug. 10, 1853	May 2, 1854	—	—	—	—
Samuel Julian,	J. Fitzpatrick,	Nov. 29, 1852	1,805 2 9	14,350 0 0	Jan. 20, 1853	April 16, 1853	Feb. 21, 1855	—	—	—	—
Matilda A. O'Dell,	Campbell & O'Donel,	Nov. 29, 1852	37 14 10	882 14 0	Jan. 20, 1853	Mar. 12, 1853	—	—	—	—	—

Paper No. 2.

Return of the Names of all Cases now pending before the Commissioners.

Mary Eliza Dillon,	J. H. Townsend,	Nov. 29, 1852	Not known.	946 3 8	Jan. 25, 1853	June 29, 1853	—	—	—	—	—	—
Thomas James Meredith,	John J. Tweedy,	Nov. 29, 1852	901 15 2	8,179 17 11	Mar. 12, 1853	May 18, 1853	Oct. 29, 1853	June 2, 1854	June 10, 1854	Jan., 1855	—	—
William Godbey,	J. H. Townsend,	Dec. 1, 1852	100 9 7	726 2 9	Mar. 7, 1853	May 27, 1853	Jan. 16, 1854	—	—	—	—	—
John Derinzy Walters,	William Goodison,	Dec. 2, 1852	255 7 11	2,076 3 1	Mar. 7, 1853	Jan. 18, 1854	Jan. 18, 1854	—	—	—	—	—
William Massy and Others,	Delmege and Atkinson,	Dec. 2, 1852	42 10 10	17,353 17 4	June 8, 1854	Oct. 26, 1854	—	—	—	—	—	—
			Another Petition in Matter.									
Assignee of Rev. P. Brown,	H. P. Woodroffe,	Dec. 2, 1852	777 11 11	Not stated in Petition.	Feb. 15, 1853	April 26, 1853	Mar. 10, 1854	—	—	—	—	—
Lawford William Burne,	Thomas Donnelly,	Dec. 3, 1852	269 4 6	585 11 0	Jan. 20, 1853	Mar. 7, 1853	Oct. 21, 1853	Oct., 1854	—	—	—	—
Richard Ralph Sadlier,	William D'Alton,	Dec. 4, 1852	1,500 2 6	17,476 6 0	Feb. 21, 1853	April 6, 1853	—	Jan. 25, 1854	Jan. 31, 1854	Dec. 15, 1854	Feb. 12, 1855	—
									Nov. 18, 1854			
Rev. Jno. Rothwell & Others,	M'Causland and Fetherston,	Dec. 4, 1852	203 6 7	2,647 5 4	Mar. 7, 1853	April 25, 1853	Mar. 10, 1854	Dec. 13, 1854	—	—	—	—
Julia Taaffe and Another,	Ambrose Sullivan,	Dec. 7, 1852	436 11 10	34,926 17 6	Mar. 7, 1853	May 2, 1853	—	—	—	—	—	—
Alexander M'Gibbons,	Alex. Durdin,	Dec. 7, 1852	50 1 3	128 11 2	Jan. 10, 1853	Feb. 23, 1853	Jan. 14, 1854	April, 1854	Feb. 23, 1854	Dec., 1854	—	—
John Sealy Allingham,	Jno. Ware,	Dec. 7, 1852	194 14 3	6,283 12 2	June 14, 1853	Mar. 14, 1854	Dec. 23, 1854	—	—	—	—	—
George Cooke,	P. J. O'Flaherty,	Dec. 8, 1852	80 10 9	1,064 11 6	Jan. 26, 1853	Oct. 18, 1854	—	—	—	—	—	—
Trustees Lady Molyneaux,	Frederick Sutton,	Dec. 8, 1852	224 5 10	7,067 17 5	Feb. 10, 1853	May 19, 1853	July 8, 1854	—	—	—	—	—
Honora Scully and Others,	M. Shortal,	Dec. 8, 1852	107 10 1	2,039 3 0	Mar. 7, 1853	Feb. 2, 1854	May 26, 1854	—	—	—	—	—
							June 19, 1854					
							Jan. 12, 1855					
Arthur Molloy and Others,	William Horan,	Dec. 10, 1852	Untenanted.	1,565 17 2	Mar. 7, 1853	June 20, 1853	—	—	—	—	—	—
George Wheeler Bennett,	Patk. Jno. Murphy,	Dec. 14, 1852	61 16 6	845 0 0	Jan. 31, 1853	Mar. 1, 1853	—	—	—	—	—	—
William Crofts,	Seymour & Webb,	Dec. 14, 1852	151 2 5	7,008 3 2	Jan. 29, 1853	April 18, 1853	—	Nov. 17, 1853	Oct. 31, 1854	—	—	—
Edward Martin and Another,	William Parker,	Dec. 15, 1852	123 12 3	1,910 11 1	Mar. 7, 1853	May 19, 1853	Feb. 2, 1854	—	—	—	—	—
							Feb. 27, 1854					
							Nov. 28, 1854					
Brien Ennis,	R. W. Ryan,	Dec. 15, 1852	147 10 4	300 0 0	Mar. 7, 1853	April 23, 1853	Dec. 14, 1853	—	—	—	—	—
							Nov. 29, 1854					
Trustees of Thomas Gilson,	J. B. Mulhall,	Dec. 16, 1852	148 12 6	1,191 13 6	Jan. 1, 1853	Mar. 18, 1853	Dec. 12, 1853	August, 1854	Oct. 27, 1854	—	—	—
									Dec. 16, 1854			
James Howlin,	L. W. Corcoran,	Dec. 16, 1852	Not stated in petition.	5,000 0 0	Jan. 31, 1853	May 18, 1853	April 27, 1854	February, 1855	—	—	—	—
John Sealy and Another,	R. J. T. Orpen,	Dec. 16, 1852	98 1 10	1,798 1 2	Mar. 2, 1853	April 30, 1853	—	—	—	—	—	—
Horatio Kelly and Others,	G. A. Labatt,	Dec. 17, 1852	104 6 11	1,239 19 5	May 13, 1853	June 29, 1853	Feb. 29, 1854	—	—	—	—	—
Augustin O'Malley & Others,	John Egan,	Dec. 17, 1852	71 3 7	933 8 1	May 24, 1853	Oct. 31, 1853	Dec. 10, 1853	—	—	—	—	—
							Jan. 18, 1854					
							May 23, 1854					
James M'Crea,	Martin & Cartan,	Dec. 18, 1852	25 10 6	609 7 4	Feb. 21, 1853	Aug. 10, 1853	—	—	—	—	—	—
Selina O'Dell and Another,	M. J. Ruttle,	Dec. 18, 1852	Not known.	935 0 0	Oct. 26, 1853	Nov. 1, 1853	—	—	—	—	—	—
Michael Agnew Coxon,	T. W. Murphy,	Dec. 18, 1852	32 13 4	558 8 7	July 23, 1853	Oct. 31 1853	—	—	—	—	—	—
John Bagwell,	Lewis and Howe,	Dec. 18, 1852	818 8 7	2,652 1 8	Jan. 31, 1853	Mar. 22, 1853	June 2, 1854	January, 1854	Dec. 8, 1855	—	—	—
William Baldwin,	George Bernard,	Dec. 18, 1852	1,126 0 0	7,652 0 3	Jan. 19, 1853	May 10, 1854	July 25, 1854	—	—	—	—	—
Charles O'Connor,	John Murray,	Dec. 20, 1852	218 1 8	3,739 10 5	Feb. 18, 1853	April 7, 1853	Dec. 20, 1853	Feb. 8, 1854	—	—	—	—
Assignee of E. M. Creed,	W. R. Meredith,	Dec. 20, 1852	76 9 7	5,441 4 1	Feb. 14, 1853	June 20, 1853	Nov. 18, 1854	—	—	—	—	—
Michael Flinn,	W. R. Meredith,	Dec. 20, 1852	135 0 0	976 8 4	Feb. 15, 1853	Mar. 24, 1853	—	—	—	—	—	—
John Ormsby,	James Howley,	Dec. 20, 1852	380 11 6	3,279 0 1	Feb. 5, 1853	Mar. 24, 1853	—	—	—	—	—	—
William Crooke,	J. Chamney,	Dec. 21, 1852	104 2 6	1,511 2 6	Feb. 14, 1853	April 25, 1853	Dec. 21, 1853	Nov. 7, 1854	Feb. 28, 1854	—	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued*.

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
Anne Dopping and Others,	G. R. Wade,	Dec. 21, 1852	1,439 18 5	31,797 4 9	Jan. 31, 1853	May 18, 1853	Nov. 4, 1853 Dec. 15, 1853 Nov. 21, 1854	Jan. 27, 1855	—	—	—
Alexander Burrowes,	John Frazer,	Dec. 21, 1852	26 3 11	1,964 11 8	Feb. 17, 1853	April 20, 1853	Jan. 15, 1855	—	—	—	—
Rev. J. Fielding Martin,	William Magee,	Dec. 21, 1852	248 2 7	12,362 16 10	Jan. 29, 1853	April 12, 1853	Dec. 21, 1853	Nov. 7, 1854	—	—	—
John Hayes,	R.&W.Coppinger,	Dec. 23, 1852	64 18 6	1,000 0 0	Jan. 31, 1853	Mar. 12, 1853	—	—	—	—	—
Thomas Hanlon,	Joseph Meagher,	Dec. 23, 1852	142 2 9	951 15 1	Jan. 31, 1853	Mar. 17, 1853	Oct. 26, 1853	April, 1854	May 12, 1854	Decem., 1854	—
William M'Crea,	Robert Mease,	Dec. 23, 1852	Partition Case.	—	Jan. 31, 1853	April14, 1853	—	—	—	—	—
Edward Burne,	John Frazer,	Dec. 23, 1852	409 16 5	1,605 19 5	Jan. 31, 1853	April 25, 1853	—	—	—	—	—
Assignee of Geo. Clendining,	J. D. Meldon,	Dec. 23, 1852	56 1 6 Part in Owner's hands.	58,161 18 0	Jan. 31, 1853	Feb. 28, 1853	May 11, 1853	January, 1854	—	—	—
John Fitzpatrick,	Thos. Carmichael,	Dec. 24, 1852	83 18 2	4,818 10 11	Jan. 31, 1853	Mar. 18, 1853	Aug. 2, 1854	—	—	—	—
Robert Brien,	John Lawless,	Dec. 24, 1852	168 12 8	5,659 11 10	Feb. 17, 1853	April 16, 1853	—	—	—	—	—
John Conolly,	Robert Power,	Dec. 24, 1852	838 14 8	7,146 0 7	Jan. 31, 1853	May 30, 1853	April 12, 1854	—	—	—	—
James Brown and Another,	Frederick Sutton,	Dec. 31, 1852	2,525 17 0	75,540 8 5	Feb. 14, 1853	May 17, 1853	—	—	—	—	—
George Newton,	Frederick Sutton,	Dec. 31, 1852	24 18 6 Part in Owner's hands	1,784 16 0	Feb. 17, 1853	May 30, 1853	—	—	—	—	—
Charles Aylmer Coates,	W. R. Meredith,	Dec. 31, 1852	35 3 1	203 13 4	Jan. 31, 1853	Mar. 1, 1853	Jan. 14, 1854	June, 1854	June 27, 1854	Decem., 1854	February,1855
Dominick A. Brown,	W. H. Brown,	Jan. 3, 1853	634 8 4	21,885 12 2	Mar. 26, 1853	May 2, 1853	April 15, 1854	—	—	—	—
E. Moore and Another,	Peebles and Shiel,	Jan. 4, 1853	443 14 7	10,464 14 5	Mar. 26, 1853	May 17, 1853	—	—	—	—	—
Elizabeth M'Davitt,	Peebles and Shiel,	Jan. 10, 1853	69 14 8	811 0 0	Feb. 21, 1853	April 4, 1853	May 6, 1854	—	—	—	—
Elizabeth M. Barry,	John Orpin,	Jan. 12, 1853	329 13 8	12,312 19 2	Feb. 15, 1853	May 13, 1853	Sept. 3, 1853	June 21, 1854	Dec. 5, 1854	—	—
Wm. S. Headly and Others,	Patrick Scott,	Jan. 12, 1853	99 1 6	663 12 9	Feb. 17, 1853	May 26, 1853	Jan 13, 1853	June 2, 1854	—	Feb. 10, 1855	—
Lodge Phillips and Another,	J. and C. Ball,	Jan 12, 1853	119 12 6	5,540 19 9	Feb. 16, 1853	Sept. 20, 1853	—	—	—	—	—
Elizabeth Sandys,	Sydenham Davis,	Jan. 13, 1853	20 0 0	159 2 1	Feb. 16, 1853	April 16, 1853	—	—	July 17, 1854	—	—
Maurice O'Connell, M.P.,	P. Maxwell,	Jan. 13, 1853	198 6 11	6,500 0 0	Feb. 16, 1853	May 6, 1853	—	—	July 22, 1853	—	—
G. S. Mathews and Another,	Purcell&Hartford,	Jan. 15, 1853	249 12 9	4,044 11 2	Jan. 31, 1853	Mar. 2, 1853	July 30, 1853 Jan. 3, 1854 May 18, 1854	Nov. 21, 1854	Nov. 30, 1854	—	—
Trustees of James Hill,	William Evans,	Jan. 15, 1853	79 0 0	2,221 10 0	Feb. 15, 1853	April 13, 1853	—	—	—	—	—
Assignee of Sir D. T. Osborne,	James M'Mahon,	Jan. 15, 1853	211 11 8	4,452 11 3	Feb. 16, 1853	May 2, 1853	June 24, 1854	—	—	—	—
Francis O'Brien,	Joseph Hanley,	Jan. 20, 1853	452 12 1	6,450 0 0	Feb. 15, 1853	April 4, 1853	June 16, 1853	Oct. 12, 1854	—	—	—
Samuel Joseph Foster,	Wm. Woodroffe,	Jan. 20, 1853	361 11 1	2,162 6 0	Feb. 16, 1853	April 25, 1853	April 20, 1853	—	—	—	—
Daniel Mahony,	Joseph Curtis,	Jan. 21, 1853	148 18 0	2,638 1 4	Feb. 16, 1853	April 8, 1853	—	—	—	—	—
Richard W. Monsell,	Hallowes and Hamilton,	Jan. 21, 1853	1,194 2 3	21,674 16 0	Feb. 16, 1853	June 9, 1853	Feb. 4, 1854	May, 1854	Nov. 16, 1854	—	—
Jane Percy,	Gustavus O'Brien,	Jan. 24, 1853	96 12 1	8.097 0 11	Sept. 18, 1853	June 4, 1853	—	—	—	—	—
James Price,	Wallace and Co,	Jan. 26, 1853	1,009 1 8	14,949 7 8	Mar. 12, 1853	May 14, 1853	Oct. 12, 1853	May, 1854	June 30, 1854	—	—
William Shekleton,	Briscoe & M'Neill,	Jan. 27, 1853	281 5 9	9,599 0 0	Feb. 16, 1853	April 11, 1853	—	—	Jan. 12, 1854	—	—
Edward Dowell,	C. A. Bagot,	Jan. 27, 1853	997 9 7	17,417 6 0	Jan. 31, 1853	Feb. 16, 1853	—	—	—	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
Boulter J. Bell & Another,	John Eyre,	Mar. 4, 1853	245 18 9	2,154 10 9	April 29, 1854	Nov. 8, 1854	—	—	—	—	—
Edward W. Stafford,	J. J. Tweedy,	Mar. 4, 1853	652 15 7	17,323 2 6	April 13, 1853	Sept. 19, 1853	Nov. 18, 1853	—	—	—	—
Anne Mahon and Others,	T. Turpin,	Mar. 4, 1853	227 8 8	4,141 10 5	Nov. 5, 1853	May 3, 1854	—	—	—	—	—
Edward Ryves Fitzgerald,	Richard Scott,	Mar. 5, 1853	48 10 8	16,384 9 11	April 13, 1853	June 13, 1853	Feb. 17, 1854 July 26, 1854 Jan. 26, 1855	—	—	—	—
Rev. Eugene O'Hara,	Briscoe & M'Neill,	Mar. 11, 1853	54 4 6	338 10 0	April 13, 1853	June 7, 1853	—	—	—	—	—
Thomas H. Kenny,	A. C. Pallas,	Mar. 12, 1853	Petition case.	—	April 13, 1853	May 6, 1853	—	—	—	—	—
Alexander Rogers,	Charles M'Mahon,	Mar. 13, 1853	147 10 4	300 0 0	April 13, 1853	May 6, 1853	Aug. 3, 1853 Nov. 10, 1853 Dec. 6, 1853 Feb. 3, 1855	Jan. 16, 1855	—	—	—
Wm. Cooke Collis & Another,	William Cosgrave,	Mar. 16, 1853	1,780 10 6	24,484 2 4	April 18, 1853	June 7, 1853	—	—	—	—	—
J. Teresa O'Reilly,	Patrick Maxwell,	Mar. 18, 1853	122 13 0	1,700 16 9	April 18, 1853	June 7, 1853	May 15, 1854	—	—	—	—
Maurice O'Connell,	Patrick Maxwell,	Mar. 19, 1853	Unoccupied.	538 8 9	April 18, 1853	June 3, 1853	—	—	—	—	—
Robert P. Caster,	Richard Bolton,	Mar. 19, 1853	35 2 0	184 12 4	April 18, 1853	May 31, 1853	Jan. 23, 1854	—	—	—	—
Courteny K. Clarke,	James D. Meldon,	Mar. 23, 1853	742 11 0	9,812 10 8	April 18, 1853	Jan. 29, 1853	—	—	—	—	—
Norman Uniacke & Others,	Murdock Green,	Mar. 23, 1853	2,296 8 11	30,866 3 7	April 18, 1853	Jan. 17, 1853	—	June 5, 1854	Oct. 30, 1854	Nov. 29, 1854	Jan. 22, 1855
John Boyd,	H. B. Macky,	Mar. 23, 1853	1,488 11 11	25,558 7 3	April 18, 1853	Nov. 2, 1853	—	—	—	—	—
William M'Williams,	William Miller,	Mar. 23, 1853	1,709 6 1	21,672 8 9	April 18, 1853	June 27, 1853	Mar. 23, 1853	Oct. 27, 1854	—	—	—
Edward Foot,	H. Noblett,	Mar. 23, 1853	100 0 0	1,460 12 4	June 20, 1853	Oct. 31, 1853	—	—	—	—	—
Samuel D. Penrose,	H. Noblett,	Mar. 23, 1853	680 0 8	5,900 0 0	June 20, 1853	Oct. 6, 1853	—	—	—	—	—
Rev. Thomas Biggs,	H. Noblett,	Mar. 23, 1853	255 3 11	2,834 12 4	April 18, 1853	June 6, 1853	Nov. 22, 1853	February, 1855	Jan. 15, 1855	—	—
John Greene,	Murdock Green,	Mar. 31, 1853	2,142 0 0	36,403 15 3	April 18, 1853	June 6, 1853	Jan. 4, 1854	Mar. 10, 1854	—	—	—
John Ormsby,	Edward Jones,	Mar. 31, 1853	1,528 14 8	12,000 0 0	April 18, 1853	June 30, 1853	—	—	Feb. 4, 1854 Mar. 31, 1854	—	—
Richard Donovan,	Murdock Green,	Mar. 31, 1853	128 18 1	1,303 16 10	April 18, 1853	June 29, 1853	May 3, 1854	Nov., 1854	Dec. 15, 1854	—	—
James Lysaght,	John Orpin,	April 4, 1853	2,167 16 1	21,034 5 0	April 7, 1853	April 12, 1853	Mar. 25, 1852	Oct. 25, 1853 Jan. 17, 1854	July 5, 1853 June 13, 1854	—	—
Hugh Brady,	White and Fry,	April 4, 1853	34 4 5	740 0 0	May 13, 1853	Nov. 2, 1853	—	Dec. 6, 1853	Nov. 7, 1854 Nov. 21, 1854	Dec. 14, 1854	Feb. 12, 1855
William Fitzsimons,	L. W. Hartstonge,	April 5, 1853	152 14 8	3,018 13 6	April 13, 1853	July 4, 1853	—	—	—	—	—
George Edmund Burke,	Blakeney, O'Flahertie, and Co.,	April 5, 1853	467 13 4	3,707 11 10	July 23, 1853	Jan. 28, 1854	Dec. 4, 1854	—	—	—	—
Mary Narcott,	H. Noblett,	April 5, 1853	956 2 2	5,600 0 0	July 30, 1853	Nov. 3, 1853	—	—	—	—	—
Devisees of Sir J. Newport,	Edward Elliott,	April 6, 1853	Partition Case.	—	May 25, 1853	Aug. 2, 1853	—	—	—	—	—
Assignee of J. E. Scully,	William D'Alton,	April 7, 1853	131 16 4	1,779 17 9	June 10, 1853	Aug. 3, 1853	Nov. 11, 1854	—	—	—	—
William Lander & Another,	Wm. A. Sherlock,	April 7, 1853	246 14 10	1,323 0 6	May 24, 1853	Aug. 10, 1853	Feb. 22, 1854	Oct. 27, 1854	—	—	—
Edward Hewson,	Henry O'Shea,	April 8, 1853	198 18 2	7,217 5 1	May 24, 1853	July 18, 1853	Feb. 22, 1854	—	—	—	—
Myles Cohen,	Thomas Crozier,	April 11, 1853	65 0 0	Not stated in Petition.	April 18, 1853	July 19, 1853	Feb. 20, 1854	—	—	—	—

Assignee of Gerald Dillon,	John Smith,	April 12, 1853	142 7 2	1,688 12 0	Oct. 21, 1853	Feb. 1, 1854	Dec. 21, 1854	—	—	—	—
Douglas Hamilton,	Octavius O'Brien,	April 13, 1853	467 15 0	5,524 15 2	July 30, 1853	Nov. 9, 1853	Feb. 3, 1855	—	—	—	—
Hon. J. Craven Westenra,	W. M. Eason,	April 14, 1853	1,338 2 4	27,310 13 7	July 30, 1853	Dec. 20, 1853	Jan. 24, 1855	—	—	—	—
Statia Keogh and Others,	Mecredy and Co.,	April 16, 1853	149 9 10	369 4 0	May 10, 1853	July 7, 1853	Jan. 3, 1854	Oct. 12, 1854	—	—	—
Grace Skeene and Others,	Garde & Atkinson,	April 16, 1853	249 7 0	2,000 0 0	July 30, 1853	Oct. 15, 1853	April 25, 1854 May 10, 1854 May 27, 1854 Feb. 1, 1855	Oct. 23, 1854	Nov. 23, 1854	—	—
Henry Winslow & Another,	James Poe,	April 18, 1853	235 18 11	700 0 0	July 30, 1853	Nov. 9, 1853	July 26, 1854	—	—	—	—
Wm. V. Graves & Another,	William Worrall,	April 19, 1853	270 5 0	796 0 0	July 30, 1853	April 29, 1854	—	—	—	—	—
Fredk. Barber and Others,	William Whitton,	April 19, 1853	110 17 7	1,735 11 1	May 13, 1853	Nov. 4, 1853	—	—	—	—	—
George Keough,	Mecredy and Co.,	April 20, 1853	Partition Case.	—	June 1, 1853	Nov. 11, 1853	—	—	—	—	—
James Milner Barry,	H. T. Chatterton,	April 20, 1853	28 7 9	508 0 0	July 23, 1854	Feb. 4, 1853	June 20, 1854	February, 1855	—	—	—
Rev. John C. Crosthwaite,	A. B. Todd,	April 21, 1853	148 12 3	1,576 2 6	May 31, 1853	July 14, 1853	April 21, 1853	April 28, 1854	—	—	—
Assignee of Charles Keenan,	Michael Larkin,	April 21, 1853	120 0 0	586 17 10	June 17, 1853	July 18, 1853	Jan. 27, 1854	—	—	—	—
Sarah Ridley and Others,	Robert R. Todd,	April 22, 1853	Supplemental Petition.	—	April 27, 1853	Dec. 10, 1853	—	—	—	—	—
Margaret J. Horton,	T. W. Reeves,	April 22, 1853	222 3 6	1,250 0 0	June 15, 1853	Aug. 11, 1853	Oct. 8, 1853	March, 1854	—	—	—
Thomas Ryan,	Edmond Power,	April 22, 1853	310 11 5	2,974 17 0	May 24, 1853	Nov. 16, 1853	Mar. 1, 1854	Oct. 27, 1854	—	—	—
Robert Cooke,	White and Fry,	April 22, 1853	255 8 0	6,024 14 6	May 26, 1853	July 5, 1853	—	April 21, 1854	July 24, 1854 Nov. 3, 1854	Dec. 14, 1854	Feb. 5, 1855
Trustees of R. Neville,	W. C. Cornwall,	April 23, 1853	3,604 4 8	23,483 16 11	May 26, 1853	Dec. 2, 1853	Dec. 11, 1854	—	—	—	—
C. Higginbotham & Others,	John Thorp,	April 23, 1853	266 0 7	4,221 13 5	May 10, 1853	July 22, 1853	April 23, 1853	Oct. 27, 1854	—	—	—
Michael H. Conoly,	F. G. Tinkler,	April 23, 1853	180 0 7	3,822 16 7	July 30, 1853	Oct. 27, 1853	Dec. 6, 1853 May 20, 1854	—	—	—	—
Sir John J. Fitzgerald and Others,	Thos. W. Corker,	April 25, 1853	2,030 2 7	35,955 16 5	July 23, 1853	Dec. 24, 1853	—	—	—	—	—
Assignee of S. Armstrong,	Alex. Dudgeon,	April 25, 1853	In owner's possession.	232 3 5	May 24, 1853	July 11, 1853	April, 25 1853	Oct. 12, 1854	—	—	—
Samuel M'Comas,	Theod. Cronhelm,	April 26, 1853	316 13 11	1,724 0 0	May 26, 1853	May 1, 1853	—	Jan. 24, 1854 Feb. 21, 1854	Mar. 28, 1854	—	—
Barbara Davis and Others,	James Worrall,	April 26, 1853	483 17 9	3,213 13 10	May 10, 1853	Sep. 22, 1853	—	—	—	—	—
John Clancy,	John Robinson,	April 27, 1853	242 19 3	8,961 16 4	July 26, 1853	Nov. 19, 1853	July 6, 1854	February, 1855	—	—	—
John N. Moriarty,	Parker and Large,	April 28, 1853	60 13 1	427 16 11	Aug. 1, 1853	Dec. 20, 1853	—	—	—	—	—
Richard G. Campion,	W. V. & R. Gregg,	April 28, 1853	92 6 1	2,612 19 5	July 25, 1853	Feb. 17, 1854	June 20, 1854	—	—	—	—
Francis E. Thomas,	Murdock Green,	April 28, 1853	1,968 12 8	14,738 11 9	July 25, 1853	Nov. 24, 1853	Feb. 22, 1854	Aug. 1854	Nov. 10, 1854	—	—
George Pope and Others,	W. Glanville,	April 29, 1853	452 0 0	9,588 0 0	June 30, 1853	Nov. 19, 1853	June 2, 1854	—	—	—	—
William Bissett & Another,	C. & J. S. Gaussen,	April 30, 1853	205 11 0	900 0 0	July 25, 1853	Oct. 24, 1853	Feb. 17, 1854	May, 1854	June 10, 1854	—	—
Assignee of Rev. N. Lodge,	Wm. G. Delany,	April 30, 1853	84 9 0	3,309 17 10	July 25, 1853	Feb. 15, 1854	—	—	—	—	—
Catherine A. Bradshaw,	John Orpin,	April 30, 1853	180 14 11	1,673 9 4	July 25, 1853	Nov. 2, 1853	June 27, 1854	—	—	—	—
Edward G. Knight,	C. & J. S. Gaussen,	April 30, 1853	57 7 6	2,419 0 0	July 25, 1853	Feb. 16, 1854	April 11, 1854	—	—	—	—
Samuel Walsh,	Edward Corcoran,	April 30, 1853	88 0 6	1,102 6 8	Feb. 10, 1854	April 13, 1854	July 15, 1854	—	—	—	—
D. O'Flaherty and Another,	O'Flaherty & Dillon	April 30, 1853	206 3 10	2,500 0 0	July 25, 1853	Oct. 4, 1853	Nov. 8, 1853	May, 1854	June 16, 1854	Jan., 1855	—
Assignee of John Dobson,	Forrest Reid,	May 3, 1853	25 0 0	404 6 0	Dec. 15, 1853	April 25, 1854	Dec. 22, 1854	—	—	—	—
Robert R. Morgan,	E. Courtney,	May 3, 1853	114 12 3	1,177 18 0	July 30, 1853	Oct. 27, 1853	—	—	—	—	—
Richard H. Gumbleton,	Octavius O'Brien,	May 4, 1853	Supplemental petition.	—	June 6, 1853	July 22, 1853	May 4, 1853 Nov. 15, 1853 Feb. 18, 1854	Jan. 6, 1855	—	—	—
William Bevan,	J. Graham,	May 4, 1853	248 10 4	4,333 4 5	July 25, 1853	Nov. 24, 1853	May 8, 1854	Oct., 1854	Oct. 31, 1854	Jan., 1855	—

Paper No. 2.

Return of the Names of all Cases now pending before the Commissioners.

PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
Assignee of Sir A. Chichester,	H. Wrendfordsly,	May 5, 1853	777 12 9	140,379 10 6	Oct. 28, 1853	Dec. 16, 1853	May 8, 1854	Aug., 1854	Nov. 1, 1854	Jan., 1855	—
Assignee of Wm. Baldwin,	R. J. T. Orpen & Co.,	May 6, 1853	Partition case.	—	Oct. 31, 1853	Dec. 13, 1853	May 6, 1854	—	—	—	—
Henry T. Coppinger,	M. Bourke,	May 6, 1853	247 7 9	4,601 11 2	July 30, 1853	Nov. 4, 1853	Oct. 30, 1854	—	—	—	—
Wm. Kew Nesbitt & Others,	Peter Gorman,	May 6, 1853	324 7 7	2,866 5 7	Nov. 10, 1853	April 11, 1854	—	—	—	—	—
Marianna Richardson and Others,	Robert Miller,	May 11, 1853	197 2 1	7,198 0 9	July 30, 1853	Sept. 30, 1853	Nov. 10, 1853 Dec. 2, 1853 Jan. 1854	April 21, 1854	June 8, 1854	Feb. 13, 1855	—
Hugh Galt,	William Simpson,	May 13, 1853	15 4 6	154 2 9	July 30, 1853	Jan. 28, 1854	Feb. 12, 1855	—	—	—	—
Richard O'Brien,	Thomas Croker,	May 17, 1853	28 4 9	509 8 9	June 10, 1853	Aug. 8, 1853	Oct. 22, 1853	—	May 9, 1854	—	—
William Lamprey,	F. G. Tinkler,	May 18, 1853	Not stated in Petition.	1,763 10 2	June 10, 1853	Aug. 10, 1853	—	—	—	—	—
Morgan Barron,	G. W. Quinlan,	May 18, 1853	Not known to Petitioner.	7,540 3 1	June 16, 1853	Aug. 13, 1853	Jan. 26, 1855	—	—	—	—
Rev. Charles B. Gibson,	H. G. Kelly,	May 18, 1853	37 6 2	515 1 1	Aug. 1, 1853	Dec. 16, 1853	Oct. 18, 1854	—	—	—	—
Francis K. Egan & Another,	Connell Loughnan,	May 18, 1853	70 0 0	618 0 0	Aug 1, 1853	Feb. 1, 1854	—	—	—	—	—
Jno. O'Reilly and Others,	A. C. Pallas,	May 23, 1853	215 8 8	8,561 2 2	Aug. 1, 1853	Feb. 17, 1854	—	—	—	—	—
Robert Smith,	Ralph Scott,	May 23, 1853	330 0 0	4,303 2 1	June 10, 1853	July 2, 1853	April 21, 1854	—	—	—	—
Francis Stringer & Another,	Edw. Fetherston H.	May 23, 1853	378 3 10	11,775 4 2	June 10, 1853	Oct. 24, 1853	April 17, 1854	—	—	—	—
Henry White,	Murdock Green,	May 23, 1853	205 11 2	2,152 11 2	June 16, 1853	July 22, 1853	Sept. 19, 1854	Nov. 11, 1854	—	—	—
James De Courcy & Others,	W. P. Fike,	May 25, 1853	245 11 7	1,637 14 8	July 30, 1853	Jan. 17, 1854	—	—	—	—	—
Mary Joyce,	Thomas Crozier,	May 25, 1853	416 8 8	3,861 3 2	July 16, 1853	Nov. 7, 1853	Dec. 22, 1854	—	—	—	—
John O'Brien,	D. J. M'Egan,	May 26, 1853	416 8 8	7,118 10 0	June 10, 1853	Sept. 13, 1853	—	—	—	—	—
Francis Dunne,	Blakeney and Co.,	May 27, 1853	113 8 11	1,716 10 8	Aug. 1, 1853	—	—	—	—	—	—
Denis Clarke,	Galway & Lamb,	May 28, 1853	93 18 0	21,194 8 2	July 25, 1853	Oct. 25, 1854	Jan. 14, 1854	Nov., 1854	Dec. 1, 1854	—	—
Assignee of Richd. Barber,	Thomas Ball,	May 31, 1853	9 14 0	252 0 0	Oct. 29, 1853	Jan. 24, 1854	Mar. 16, 1854	—	—	—	—
W. T. Weston & Another,	William Brophy,	June 1, 1853	213 19 6	7,911 10 1	June 10, 1853	July 29, 1853	Mar. 9, 1854	Mar. 14, 1854	Nov. 14, 1854	Dec. 8, 1854	Feb. 5, 1855
Assignee of S. Robinson,	Murdock Green,	June 1, 1853	Unset.	12,839 0 0	June 24, 1853	Nov. 11, 1853	Jan. 12, 1854	May, 1854	Feb. 14, 1854	Dec., 1854	—
James J. Gillander,	Thos. Edw. Wright	June 3, 1853	171 3 2	2,654 12 11	Aug. 3, 1853	April 22, 1854	Nov. 57, 1854	—	—	—	—
Patrick Ronayne & Others,	W. Deane,	June 3, 1853	152 15 6	3,359 6 6	July 30, 1853	Jan. 26, 1854	—	—	—	—	—
James Daly,	William Joyce,	June 7, 1853	440 5 6	4,907 9 4	July 30, 1853	Oct. 21, 1853	May 23, 1854 June 7, 1854	Jan. 15, 1855	Feb. 15, 1855	—	—
Trustees of W. Maul and Others,	W. S. Molony,	June 7, 1853	259 10 0	10,171 9 6	July 30, 1853	April 4, 1854	—	—	—	—	—
Arthur Usher,	C. Maunsell,	June 8, 1853	1,029 3 9	21,568 3 4	Aug. 2, 1853	Nov. 11, 1853	Dec. 1, 1853	May, 1854	May 19, 1854 June 8, 1854	—	—
Thomas H. Harte,	F. Kiernan,	June 8, 1853	71 16 9	1,646 15 4	July 30, 1853	Mar. 21, 1854	—	—	—	—	—
George Walter Young,	J. M'Kinstry,	June 8, 1853	247 8 5	5,592 1 0	July 30, 1853	Dec. 3, 1853	May 23, 1854 July 11, 1854	Jan. 20, 1855	Feb. 8, 1855	—	—
Francis James Davys,	Thomas Walsh,	June 8, 1853	78 0 4	3,669 7 2	July 30, 1853	Nov. 10, 1853	May 6, 1854 May 20, 1854 June 16, 1854 Dec. 12, 1854	—	—	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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A Return of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
Edward Wilson,	Henry Noblett,	June 28, 1853	54 18 6	290 19 4	Aug. 2, 1853	Oct. 20, 1853	—	—	—	—	—
Thos. R. Barns & Another,	Henry Noblett,	June 28, 1853	73 7 3	1,140 0 0	Aug. 2, 1853	Jan. 26, 1854	—	—	—	—	—
Francis Rose,	William Fry,	June 28, 1853	254 3 2	3,680 15 7	Aug. 2 1853	Dec. 17, 1853	April 10, 1854	Feb. 22, 1855	—	—	—
Rev. Austin Cooper,	Geo. Armstrong,	June 28, 1853	70 3 1	1,320 2 1	Aug. 2, 1853	Dec. 22, 1853	April 29, 1854	—	—	—	—
J. Connell,	Walter Ronan,	June 30, 1853	67 18 9	2,168 4 6	Aug. 2, 1853	Nov. 9, 1853	—	—	—	—	—
Assignee of William Duncan,	Johnston Teevan,	July 1, 1853	25 5 0	600 13 7	July 2, 1853	Aug. 25, 1853	Feb. 15, 1854	—	—	—	—
Assignee of Michael Dalton,	R. Scully,	July 1, 1853	208 4 7	2,580 0 0	Aug. 3, 1853	Nov. 2, 1853	Feb. 14, 1855 Mar. 3, 1854	July 3, 1854	Nov. 3, 1854	Dec. 1, 1854	—
John Revell,	Thos. M. Archer,	July 1, 1853	In Owner's possession.	100 0 0	Aug. 2, 1853	Jan. 7, 1854	—	—	—	—	—
Laurence Rourke,	Edwd. M'Cullagh,	July 2, 1853	518 14 6	5,638 16 10	Nov. 24, 1853	April 19, 1854	—	—	—	—	—
Henry Hone,	Samuel Gerrard,	July 4, 1853	507 8 4	5,317 18 1	Oct. 18, 1853	Mar. 24, 1854	—	—	—	—	—
Chas. G. C. Mahon & Others,	R. Power,	July 4, 1853	219 6 2	41,229 16 5	Oct. 17, 1853	Nov. 18, 1853	—	—	—	—	—
Thomas G. Durdin,	R. J. F. Orpen,	July 4, 1853	Part in owner's possession. 1,634 6 8	10,473 9 3	July 11, 1853	Aug. 14, 1853	Dec. 22, 1854	Nov. 12, 1853	—	—	—
John James Moore,	Edward Carr,	July 5, 1853	891 2 7	3,096 6 8	Oct. 29, 1853,	Jan. 21, 1854	—	—	—	—	—
William R. Graves,	G. S. Warren,	July 7, 1853	47 5 3	584 6 6	Oct. 17, 1853	Dec. 10, 1853	Jan. 16, 1855	—	—	—	—
William M'Donnell,	G. H. Belas,	July 9, 1853	260 0 5	1,237 10 6	Jan. 11, 1854	April 22, 1854	Dec. 13, 1853 June 10, 1854	Feb. 19, 1855	—	—	—
James Carraher,	J. M. Cantwell,	July 9, 1853	466 0 1	5,338 3 3	Oct. 18, 1853	Dec. 22, 1853	Jan. 5, 1855	—	—	—	—
John L. M. O'Beirne,	John Fleming,	July 9, 1853	409 10 0	5,120 13 11	Oct. 18, 1853	Mar. 10, 1854	—	—	—	—	—
Rev. Anthony Adams,	C. F. Brabazon,	July 12, 1853	232 3 10	1,753 16 10	Oct. 18, 1853	Feb. 9, 1854	Dec. 4, 1854	—	—	—	—
James K. Aylward,	J. Butler,	July 13, 1853	32 1 2	542 15 3	Oct. 17, 1853	Nov. 8, 1853	Feb. 10, 1854 April 21, 1854	Oct. 19, 1854	Nov. 9, 1854	Feb. 13, 1855	—
Alexander Kerr,	William Simpson,	July 15, 1853	49 1 6	1,058 10 10	Aug. 6, 1853	Mar. 3, 1854	—	—	—	—	—
Richard Noblett,	J. D. Vanston,	July 15, 1853	Not stated.	199 10 0	Aug. 6, 1853	Nov. 25, 1853	July 15, 1854	Oct. 12, 1854	Nov. 3, 1854	—	—
J. J. H. Bergoyle & Another,	George Black,	July 16, 1853	96 18 11	870 4 6	Aug. 6, 1853	Jan. 12, 1854	—	—	—	—	—
William G. Eades & Another,	H. P. Woodrooffe,	July 16, 1853	86 2 0	1,478 10 0	Aug. 5, 1853	Dec. 1, 1853	July 10, 1854	—	—	—	—
Courtney Newton,	Newton and Armstrong,	July 20, 1853	282 5 10	1,304 4 10	Aug. 6, 1853	Oct. 8, 1853	July 20, 1854	—	—	—	—
Eliza Brown and Others,	W. H. M'Grath,	July 20, 1853	144 15 1	2,562 12 1	Aug. 5, 1853	Dec. 10, 1853	—	—	—	—	—
Lord Muskerry,	Lewis & Howe,	July 21, 1853	272 12 2	5,000 0 0	July 25, 1853	Nov. 6, 1853	—	—	—	—	—
Robert H. Truell,	A. R. Symes,	July 27, 1853	147 13 10	6,729 13 2	Oct. 29, 1853	Jan. 18, 1854	April 28, 1854	Jan. 4, 1855	—	—	—
Mary Moreton and Another,	W. Goodisson,	July 27, 1853	138 1 5	1,842 4 5	Oct. 31, 1853	Dec. 10, 1853	Mar. 11, 1854	—	—	—	—
Marquis of Sligo & Another,	F. Sutton,	July 27, 1853	702 0 10	96,930 8 10	Aug. 5, 1853	Nov. 23, 1853	July 7, 1854	Oct. 12, 1854	July 4, 1854 Jan. 18, 1855	—	—
Arthur Browne,	Roper and Lloyd,	July 27, 1853	Not stated in petition.	18,345 15 4	Aug. 6, 1853	May 3, 1854	July 27, 1854	—	—	—	—
Assignee of Mary Wilson,	G. S. Wybrants,	July 27, 1853	In owner's possession.	1,015 0 6	Aug. 6, 1853	Jan. 4, 1854	—	—	—	—	—
Thomas Haines,	Alma & Hackett,	July 27, 1853	361 0 0	1,972 0 0	Aug. 5, 1853	Jan. 9, 1854	Jan. 30, 1854	Oct. 12, 1854	July 31, 1854 Nov. 4, 1854	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
John M'Dermott,	G. Hamilton,	Oct. 28, 1853	131 19 4	114 15 0	Dec. 5, 1853	Feb. 11, 1854	April 24, 1854	Nov. 4, 1854	Dec. 8, 1854	Feb. 1, 1855	—
Assignee of J. Ronaldson,	G. Bolton,	Oct. 29, 1853	124 19 0	4,705 3 2	Nov. 10, 1854	Feb. 13, 1854	—	—	—	—	—
Robert Galt,	William Simpson,	Oct. 31, 1853	9 11 8	110 3 6	Dec. 5, 1853	Jan. 30, 1854	—	—	—	—	—
Rev. W. Thompson, &c.,	Kift and Co.,	Oct. 31, 1853	360 14 3	8,896 12 10	Dec. 8, 1853	Feb. 7, 1854	June 8, 1854	—	—	—	—
Executors of Geo. Taylor,	R. A. Walker,	Nov. 1, 1853	143 11 9	1,911 10 0	Dec. 8, 1853	Feb. 7, 1854	—	—	—	—	—
James Henry Dickson,	Jas. D. Meldon,	Nov. 2, 1853	99 1 6	1,500 0 0	Jan. 19, 1854	Feb. 8, 1854	Nov. 2, 1853	Jan. 30, 1854	—	—	—
Robt. Casey and Another,	Delmege and Ferguson,	Nov. 2, 1853	67 12 5	1,416 1 6	Dec. 22, 1853	April 7, 1854	Dec. 6, 1854	—	—	—	—
William R. B. Maguire,	Michael Daniver,	Nov. 3, 1853	62 2 2	3,947 9 9	Nov. 21, 1853	April 12, 1854	—	—	—	—	—
William Clancey,	O. R. Gamble,	Nov. 3, 1853	109 0 0	2,250 0 0	Dec. 22, 1853	April 10, 1854	—	—	—	—	—
James Matthews,	John Julian,	Nov. 4, 1853	22 12 5	900 6 9	Dec. 22, 1853	Jan. 25, 1854	—	—	—	—	—
Rev. A. Blackburne, &c.,	C. F. Brabazon,	Nov. 4, 1853	129 12 6	6,000 0 0	Dec 22, 1853	Mar. 25, 1854	—	—	—	—	—
Assignee of J. O'Donnell,	John Moffatt,	Nov. 4, 1853	69 4 2	2,578 10 0	Dec. 22, 1853	May 6, 1854	—	—	—	—	—
Assignee of J. Leonard,	John Kennan,	Nov. 5, 1853	40 0 0	210 6 5	Dec. 22, 1854	May 1, 1854	—	—	—	—	—
Arthur Molloy and Others,	William Horan,	Nov. 7, 1853	Partition case.	—	Dec. 22, 1854	May 10, 1854	—	—	—	—	—
Benjamin Jeffers & Others,	W. A. Sherlock,	Nov. 8, 1853	69 4 7	694 4 7	Dec. 22, 1853	April 20, 1854	—	—	—	—	—
Arthur Usher and Another,	Chas. Maunsell,	Nov. 8, 1853	Partition case.	—	Dec. 22, 1853	April 21, 1854	—	—	—	—	—
Michael Lahey,	Thos. W. Reeves,	Nov. 9, 1853	70 13 8	4,159 2 8	Nov. 26, 1853	Jan. 27, 1854	June 8, 1854	—	—	—	—
Richard Frederick Lodge,	John & C. Ball,	Nov. 9, 1853	Not stated.	872 9 0	Dec. 22, 1853	Nov. 16, 1853	—	—	—	—	—
William M. Glascott,	Alex. Durdin,	Nov. 10, 1853	508 5 0	10,823 14 7	Dec. 16, 1853	Feb. 3, 1854	Feb. 25, 1854 June 27, 1854 Jan. 26, 1855	—	—	—	—
Sir Charles R. Pigott,	David Howe,	Nov. 10, 1853	2,612 16 5	37,506 19 1	Dec. 22, 1853	Feb. 4, 1854	—	—	—	—	—
Francis Sherlock,	Charles Thorpe,	Nov. 10, 1853	75 12 11	103 6 11	Dec. 22, 1853	Feb. 14, 1854	Oct. 30, 1854	—	—	—	—
Robert Shearman,	M'Causland and Fetherstone,	Nov. 11, 1853	152 13 2	6,098 16 10	Dec. 8, 1853	Feb. 3, 1854	Nov. 11, 1853	Oct. 12, 1854	—	—	—
Devisee of Robert Bayly,	Henry Humphrey,	Nov. 11, 1853	1,191 4 1	15,318 16 0	Jan. 13, 1854	Feb. 17, 1854	Nov. 11, 1853	Oct. 12, 1854	—	—	—
Rev. William Gillmore,	Arthur B. Todd,	Nov. 12, 1853	128 15 0	1,723 1 6	Dec. 8, 1853	Jan. 26, 1854	—	Dec. 8, 1854	—	—	—
Joseph Nicholson,	W. F. Littledale,	Nov. 12, 1853	417 2 4	3,037 0 10	Dec. 8, 1853	Dec. 17, 1853	Feb. 20, 1854	Aug. 1, 1854	—	—	—
Anne Fetherston and Others,	Ralph Scott,	Nov. 14, 1853	167 19 2	2,947 0 10	Dec. 8, 1853	Jan. 16, 1854	Feb. 26, 1854	Nov. 3, 1854	—	—	—
John Maurice Townsend,	M'Carthy Downing	Nov. 15, 1853	739 12 10	8,223 17 3	Dec. 8, 1853	Mar. 1, 1854	—	—	—	—	—
David Kerney,	Octavius O'Brien,	Nov. 15, 1853	316 10 4	4,100 3 6	Nov. 17, 1853	Dec. 1, 1853	Nov. 15, 1853	Mar. 2, 1854	May 9, 1854	—	—
William K. O'Sullivan,	Octavius O'Brien,	Nov. 15, 1853	231 12 6	3,125 16 3	Nov. 26, 1853	Dec. 16, 1853	—	—	—	—	—
William Milnard Jones,	John H. Nunn,	Nov. 15, 1853	289 1 3	1,384 8 2	Dec. 13, 1853	Feb. 6, 1854	Dec. 6, 1854	—	—	—	—
Richard Hinde and Others,	C. M'Cartney,	Nov. 16, 1853	433 3 0	1,698 18 6	Dec. 22, 1853	June 20, 1854	—	—	—	—	—
Rev. John B. Johnston,	R. A. Walker,	Nov. 18, 1853	154 15 11	7,903 19 3	Nov. 26, 1853	July 18, 1854	Feb. 24, 1854	June 23, 1854	May 13, 1854	Jan. 4, 1855	—
Richard P. Harris,	Geo. F. Woodrooffe	Nov. 19, 1853	240 8 9	646 3 1	Dec. 22, 1853	April 22, 1854	—	—	—	—	—
Henry J. Dolphin & Others,	William Joyce,	Nov. 22, 1853	31 12 5	7,384 11 2	Jan. 19, 1854	July 12, 1854	—	—	—	—	—
John Clarke,	John Julian,	Nov. 23, 1853	270 7 5	2,577 0 0	Dec. 8, 1853	Jan. 6, 1854	Nov. 23, 1853	—	—	—	—
Francis N. Osborne & Others,	John Smyth,	Nov. 23, 1853	804 17 4	15,426 18 6	Jan. 21, 1854	Mar. 28, 1854	Nov. 9, 1854	—	—	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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PAPER No. 2.
Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
Eliza Felicia West,	Read & Crawford,	Dec. 30, 1853	Not stated.	3,506 3 0	Feb. 14, 1854	May 11, 1854	Jan. 21, 1854	—	—	—	—
Anne Bayly,	Samuel M. Bestal,	Dec. 31, 1853	345 10 3	2,137 9 8	Jan. 21, 1854	June 29, 1854	—	—	—	—	—
Alexander Nixon,	William A. Dane,	Jan. 3, 1854	For Partition.	—	Mar. 10, 1854	May 12, 1854	—	—	—	—	—
Matthew Ryan,	Henry O'Beirne,	Jan. 3, 1854	49 5 6	512 19 5	Mar. 13, 1854	May 3, 1854	—	—	—	—	—
Thomas Joyce,	John Chamney,	Jan. 4, 1854	39 0 0	608 19 2	Mar. 18, 1854	July 15, 1854	Dec. 19, 1854	—	—	—	—
Robert Carew,	Lynn Carew,	Jan. 6, 1854	186 11 8	6,921 12 11	Mar. 13, 1854	May 23, 1854	Nov. 13, 1854	—	—	—	—
							Feb. 15, 1855				
Arthur L. Bingham,	Wm. M. M'Cay,	Jan. 11, 1854	109 11 8	482 15 5	Mar. 15, 1854	June 23, 1854	—	—	—	—	—
Edward Wrixon & Others,	T. F. O'Connell,	Jan. 11, 1854	123 10 9	2,137 12 2	Mar. 13, 1854	June 20, 1854	—	—	—	—	—
Sir Robert L. Blosse, Bart.,	M'Causland & Co.	Jan. 13, 1854	Petition for Partition.	—	Feb. 7, 1854	May 24, 1854	Jan. 13, 1854	—	—	—	—
T. M'Namara Calcutt,	Wm. H. M'Grath,	Jan. 13, 1854	592 4 1	2,984 12 3	Feb. 14, 1854	May 12, 1854	Jan. 13, 1854	—	—	—	—
Nicholas Bourke,	Joseph Hanley,	Jan. 14, 1854	Partition Case.	—	Feb. 19, 1854	May 15, 1854	—	—	—	—	—
James Hanna,	J. O. Woodhouse,	Jan. 16, 1854	8 4 10	Not stated.	Feb. 13, 1854	June 29, 1854	Nov. 10, 1854	—	—	—	—
Mary Jane Bell,	J. O. Woodhouse,	Jan. 16, 1854	48 9 0	Not stated.	Mar. 13, 1854	June 29, 1854	Jan. 14, 1855	—	—	—	—
							Jan. 28, 1855				
Richard Shew,	Godwin Swift,	Jan. 16, 1854	88 4 0	4,417 9 11	Feb. 14, 1854	April 22, 1854	July 19, 1854	—	—	—	—
William Phibbs Knott,	Billing and Co.,	Jan. 18, 1854	128 11 10	4,902 17 8	Feb. 7, 1854	Mar. 22, 1854	—	—	—	—	—
William Phibbs Knott and Anthony Knott,	Billing and Co.,	Jan. 18, 1854	137 8 8	4,367 12 10	Feb. 7, 1854	Mar. 27, 1854	—	—	—	—	—
Horatio Wallace & Another,	Billing and Co.,	Jan. 18, 1854	239 2 0	48,003 16 6	Feb. 13, 1854	Mar. 23, 1854	—	—	—	—	—
Anthony O'Kelly,	Ewd. F. Stapleton,	Jan. 19, 1854	170 10 0	3,280 7 10	Feb. 13, 1854	May 4, 1854	—	—	—	—	—
Susan Colclogh,	H. S. M'Credy and Co.,	Jan. 21, 1854	55 7 8	300 0 0	Mar. 2, 1854	Mar. 16, 1854	May 20, 1854	Dec. 5, 1854	Jan. 12, 1855	—	—
Earl of Mountcashel,	Bindon Scott,	Jan. 23, 1854	544 11 2	103,230 19 0	Mar. 2, 1854	May 16, 1854	Feb. 1, 1855	—	—	—	—
Francis Lynch & Another,	Matthew O'Reilly,	Jan. 33, 1854	15 3 11	330 7 0	Feb. 13, 1854	Sept. 15, 1854	Oct. 23, 1854	—	—	—	—
John Robert Atkins,	Simon Creagh,	Jan. 24, 1854	153 5 6	319 4 6	Mar. 13, 1854	Sept. 2, 1854	Nov. 14, 1854	Dec. 30, 1854	—	—	—
							Nov. 21, 1854				
John Kelly,	A. Durdin,	Jan. 24, 1854	321 12 9	7,784 8 4	Feb. 13, 1854	April 1, 1854	—	—	—	—	—
Samuel Edward Falkner,	Chas. L. Parrott,	Jan. 24, 1854	272 10 11	1,500 0 0	Feb. 14, 1854	Mar. 4, 1854	April 22, 1854	Feb. 1855	—	—	—
Edward Galway & Another,	White and Fry,	Jan. 25, 1854	137 19 1	2,000 0 0	Feb. 13, 1854	April 19, 1854	Nov. 25, 1854	Dec. 2, 1854	—	—	—
Samuel L. Crawford,	John Fyffe,	Jan. 30, 1854	67 18 10	94 0 0	Feb. 21, 1854	April 28, 1854	—	—	—	—	—
Samuel Lane,	James Lane,	Jan. 30, 1854	1,080 0 9	47,780 16 7	Mar. 2, 1854	May 8, 1854	—	—	—	—	—
Samuel G. Cunningham,	Edward Malone,	Jan. 30, 1854	Not stated.	—	Feb. 23, 1854	Mar. 31, 1854	Oct. 31, 1854	—	—	—	—
John Smith,	Lambert&Crozier,	Jan. 30, 1854	293 15 0	2,891 18 4	July 21, 1854	Mar. 23, 1854	June 6, 1854	—	—	—	—
William Farrell & Another,	R. Peyton,	Jan. 31, 1854	Partition case.	—	Feb. 2, 1852	April 3, 1854	—	—	—	—	—
Sir William Cox,	John Julian,	Jan. 31, 1854	978 13 10	10,113 1 6	Feb. 23, 1854	April 13, 1854	Dec. 16, 1854	—	—	—	—
Thomas Lynch,	William Joyce,	Jan. 31, 1854	213 8 1	9,451 13 7	Mar. 13, 1854	April 28, 1854	Jan. 9, 1855	—	—	—	—
Marion Peard,	G. W. Shannon,	Feb. 1, 1854	59 8 0	365 16 5	Feb 1, 1854	Aug. 21, 1854	Oct. 26, 1854	—	—	—	—
Thomas J. FitzGerald,	Newman & Tandy,	Feb. 2, 1854	178 8 7	1,123 1 3	Mar. 15, 1854	May 15, 1854	—	—	—	—	—
Henry Sandys Mecredy,	Mecredy and Co.	Feb. 2, 1854	85 17 8	500 0 0	Feb. 21, 1854	Feb. 28, 1854	April 12, 1854	Nov. 9, 1854	Dec. 1, 1854	—	—

PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

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PAPER No. 2.

Return of the Names of all Cases now pending before the Commissioners.

A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued*.

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
John O'Brien,	A. T. Chatterton,	Mar. 13, 1854	35 18 0	260 0 5	Mar. 13, 1854	Mar. 16, 1854	—	—	—	—	—
Patrick Colclough,	Ambrose Sullivan,	Mar. 13, 1854	701 16 5	13,131 18 10	Mar. 21, 1854	May 27, 1854	July 1, 1854	Aug. 1, 1854	—	—	—
William Lewis and Others,	Thos. W. Bond,	Mar. 13, 1854	789 11 4	10,184 1 1	May 19, 1854	July 17, 1854	—	—	—	—	—
Andrew Shelly and Others,	Robert Cooper,	Mar. 14, 1854	22 11 7	106 13 2	May 19, 1854	Aug. 8, 1854	Dec. 14, 1854	—	—	—	—
Mary Fitzgerald and Others,	Campbell and O'Donnell,	Mar. 16, 1854	Supplemental petition.	—	May 15, 1854	July 3, 1854	—	—	—	—	—
Daniel Kinahan and Others,	Joseph Hone,	Mar. 16, 1854	1,042 14 9	4,053 17 0	May 23, 1854	Aug. 8, 1854	—	—	—	—	—
Henry T. Vernon,	Thomas Sparks,	Mar. 18, 1854	40 0 0	1,060 0 0	May 23, 1854	Aug. 10, 1854	—	—	—	—	—
Malachy Conry,	John Riddick,	Mar. 22, 1854	40 15 6	187 2 11	May 23, 1854	July 8, 1854	Nov. 9, 1854	—	—	—	—
Charles Thompson,	A Robinson,	Mar. 22, 1854	217 15 2	5,000 0 0	May 25, 1854	July 31, 1854	—	—	—	—	—
Stephen Blake,	R. & G. Cathcart,	Mar. 27, 1854	262 5 3	2,282 12 5	April 11, 1854	July 15, 1854	—	—	—	—	—
Christopher V. Foss,	Kift and Co.,	Mar. 27, 1854	Partition case.	—	May 13, 1854	July 22, 1854	—	—	—	—	—
Charles L. Tottenham,	John Vincent,	Mar. 29, 1854	603 8 5	6,461 10 9	May 23, 1854	June 8, 1854	Jan. 13, 1855	—	—	—	—
Cornelius H. Bolton,	John Taylor,	Mar. 30, 1854	338 13 2	5,251 12 3	June 27, 1854	July 17, 1854	Oct. 28, 1854	—	—	—	—
Edward Little,	Charles Chauntler,	Mar. 31, 1854	151 16 2	310 3 9	May 24, 1854	July 26, 1854	—	—	—	—	—
Arthur Williams,	Geo. Carmichael,	April 1, 1854	931 13 5	5,660 0 0	April 28, 1854	June 14, 1854	—	—	—	—	—
Dominick E. Browne,	S. F. Adair,	April 1, 1854	890 9 1	10,695 17 9	May 26, 1854	June 29, 1854	—	—	—	—	—
Benjamin Plowman,	John H. Nunn,	April 1, 1854	52 6 3	334 19 7	Dec. 28, 1854	June 22, 1854	—	—	—	—	—
Bunbury Archer,	James Campbell,	April 1, 1854	211 17 2	4,365 2 6	Oct. 6, 1854	Nov. 24, 1854	—	—	—	—	—
William Marratt,	J. E. Connor,	April 1, 1854	97 0 0	275 18 2	May 26, 1854	Nov. 22, 1854	—	—	—	—	—
Willis, Trustee of Beamish,	Foots and Fitzsimons,	April 7, 1854	181 0 0	1,118 6 3	July 8, 1854	Aug. 7, 1854	—	—	—	—	—
William H. Enery,	Geale and Dwyer,	April 8, 1854	3,099 1 11	53,066 16 4	May 26, 1854	Aug. 9, 1854	—	—	—	—	—
Richard Hall,	J. Collum,	April 10, 1854	2,757 13 2	27,067 10 0	July 8, 1854	—	—	—	—	—	—
Michael Treacy,	W. P. Fletcher,	April 12, 1854	116 4 11	1,342 9 7	July 8, 1854	Nov. 3, 1854	—	—	—	—	—
Trustees of J. O. Glenny,	S. Reid,	April 12, 1854	46 5 4	4,922 18 6	May 26, 1854	—	—	—	—	—	—
Frederick Metcalf,	Wellington Shegog	April 13, 1854	44 18 9	1,453 2 2	July 8, 1854	Oct. 31, 1854	—	—	—	—	—
John M. Clements,	John Faris,	April 13, 1854	516 8 0	1,100 0 0	July 8, 1854	Oct. 8, 1854	—	—	—	—	—
George W. Hamilton,	D. Mahony,	April 13, 1854	400 0 0	Not stated.	May 19, 1854	—	—	—	—	—	—
Eliza Moore,	John Ferguson,	April 19, 1854	41 18 6	5,219 2 6	July 8, 1854	—	—	—	—	—	—
Charles L. Fitzgerald,	William M'Cay,	April 19, 1854	1,966 19 9	4,585 11 0	May 22, 1854	Nov. 4, 1854	—	—	—	—	—
John Conolly,	J. B. Mulhall,	April 19, 1854	120 15 5	1,743 16 3	May 22, 1854	Dec. 30, 1854	—	—	—	—	—
Sarah Metcalf,	Wellington Shegog	April 20, 1854	81 1 3	1,303 2 2	July 8, 1854	Oct. 31, 1854	—	—	—	—	—
Charles P. Coote,	Anderson & Findlater,	April 20, 1854	2,497 12 6	11,626 5 6	May 22, 1854	Sept. 5, 1854	—	—	—	—	—
John Minchin,	White and Fry,	April 21, 1854	762 4 3	9,690 9 7	June 12, 1854	July 27, 1854	Jan. 31, 1855	—	—	—	—
Richard H. Byrne,	White and Fry,	April 21, 1854	86 16 10	1,196 3 6	May 22, 1854	Nov. 4, 1854	—	—	—	—	—
William Scott,	Ralph Scott,	April 21, 1854	504 0 4	11,677 1 6	May 19, 1854	June 19, 1854	Nov. 15, 1854	Nov. 16, 1854	—	—	—
Augustus Warren,	M'Carthy Downing	April 24, 1854	241 7 7	2,673 3 6	May 19, 1854	July 29, 1854	—	—	—	—	—
W. C. M. Mason,	Geale and Dwyer,	April 24, 1854	291 11 11	2,879 14 1	June 12, 1854	Sept. 2, 1854	—	—	—	—	—

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A RETURN of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition.	Amount of Incumbrances as stated in Petition.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
			£ s. d.	£ s. d.							
Catherine S. Courtenay,	John Riddick,	June 2, 1854	208 18 2	327 0 0	July 22, 1854	Oct. 12, 1854	—				
Charles Wallnut,	A. C. Newton,	June 3, 1854	176 10 1	800 0 0	July 19, 1854	Oct. 3, 1854	Nov. 3, 1854				
Louisa Garnett,	R. O. Armstrong,	June 3, 1854	Not stated.	3,728 19 5	July 13, 1854	Nov. 21, 1854	June 3, 1854				
William Stern,	Peebles and Sheil,	June 5, 1854	264 13 2	5,781 19 3	July 22, 1854	Nov. 25, 1854	—				
Rev. B. Denny,	Edw. De Moleyns,	June 7, 1854	354 11 7	2,000 0 0	July 22, 1854	Oct. 28, 1854	Nov. 21, 1854				
Mary Anne Walsh,	James Campbell,	June 8, 1854	378 11 0	3,507 0 0	July 19, 1854	Nov. 24, 1854	Jan. 24, 1855				
Robert Marshall Leeson,	Lambert&Crozier,	June 10, 1854	837 19 7	18,602 11 10	July 8, 1854	July 21, 1854	—				
Selina O'Dell,	Michael G. Ruttle,	June 13, 1854	Not stated.	1,995 3 1	July 10, 1854	July 23, 1854	—				
Right Hon. J. A. Wynne,	Wm. Dix & Son,	June 16, 1854	134 17 2	35,343 4 6	July 24, 1854	Nov. 9, 1854	Feb. 20, 1855				
Rev. Charles Mayne,	S. S. & R. Reeves,	June 19, 1854	796 11 2	19,310 12 7	July 27, 1854	Dec. 4, 1854	—				
John O'Reilly,	John Fleming,	June 22, 1854	187 5 4	8,409 4 7	July 31, 1854	Dec. 5, 1854	—				
Rev. W. Hill,	Billing and Co.,	June 24, 1854	198 16 9	2,070 7 6	July 22, 1854	Nov. 10, 1854	—				
Rev. James Anderson,	R. W. Greer,	June 24, 1854	992 1 0	9,547 15 3	July 22, 1854	Oct. 28, 1854	—				
Walter B. Gurley,	William Williams,	June 26, 1854	513 11 6	3,126 5 3	July 17, 1854	Aug. 13, 1854	—				
William Sayers and Another,	John Bates,	June 28, 1854	282 7 0	9,276 16 11	July 31, 1854	Nov. 6, 1854	—				
John T. Cleary and Others,	Thomas Walsh,	June 28, 1854	79 16 11	200 0 0	July 31, 1854	Nov. 8, 1854	—				
John E. C. Kelly,	Randal M'Donnell,	June 29, 1854	321 12 9	7,784 8 4	July 31, 1854	Nov. 22, 1854	—				
Susan Jones and Others,	James Davis,	June 29, 1854	9 0 5 Part in owner's hands.	1,400 0 0	July 19, 1854	Dec. 12, 1854	—				
Peter Sinnott and Others,	Wm. M. Eason,	June 29, 1854	Not stated.	92 7 0	July 19, 1854	—	—				
Rev. Robt. O'Shea & Another,	James Poe,	June 30, 1854	105 12 0	3,215 7 10	July 31, 1854	Feb. 7, 1855	—				
Charles Meredith Bunn,	William Whitton,	June 30, 1854	304 1 0	2,653 16 8	July 31, 1854	Nov. 4, 1854	—				
Arthur Loftus Tottenham,	John Collum,	June 30, 1854	69 9 9	1,934 10 5	July 24, 1854	Oct. 28, 1854	Jan. 16, 1855				
Henry John Lindsay,	M. Greene,	June 30, 1854	173 11 10	2,774 3 1	July 27, 1854	—	—				
William Henry Daniel,	William Gibson,	July 1, 1854	354 11 7	2,000 0 0	July 28, 1854	Sept. 27, 1854	Dec. 21, 1854				
James Good,	J. L. Curtis,	July 3, 1854	206 0 0	2,057 0 5	July 31, 1854	Oct. 1, 1854	—				
Anne Drury,	William Whitton,	July 3, 1854	171 2 8	943 7 10	July 28, 1854	Nov. 3, 1854	—				
Assignee of R. J. Hicks,	William Whitton,	July 3, 1854	344 18 5	18,451 14 8	July 28, 1854	Feb. 6, 1855	—				
George Cook,	J. Julian,	July 3, 1854	133 17 0	277 11 11	July 28, 1854	Aug. 25, 1854	—				
Rev. Thomas F. Martin,	William Magee,	July 5, 1854	Not known.	—	July 26, 1854	Aug. 30, 1854	—				
Trustees of Maria Figgis,	E. J. and J. H. Elliott,	July 5, 1854	296 10 2	3,127 15 3	Nov. 25, 1854	Jan. 11, 1855	—				
Samuel George Beamish,	Henry Bastable,	July 12, 1854	Partition Case.	—	July 22, 1854	Nov. 23, 1854	—				
James Bessonet and Others,	Lewis and Howe,	July 12, 1854	281 13 5	2,690 0 0	Oct. 22, 1854	Jan. 3, 1855	—				
James Murray and Another,	Cecil Moore,	July 19, 1854	7 19 10	45 19 10	Nov. 1, 1854	Jan. 15, 1855	—				
Trustees of John Courtenay,	L. Dobbin,	July 21, 1854	530 8 11	5,900 0 0	Dec. 9, 1854	Feb. 9, 1855	—				
Richard H. Mills & Another,	R. W. Grier,	July 21, 1854	301 19 4	4,334 10 4	Jan. 31, 1855	—	—				
Robert MacNeale,	William Leech,	July 21, 1854	51 14 11	47,421 5 0	July 22, 1854	Oct. 5, 1854	—				
Wills Murdock and Another,	Thomas Lynch,	July 22, 1854	29 6 4	895 1 8	Dec. 9, 1854	—	—				
Elizabeth Tresilian & Others,	Thos. K. Sullivan,	July 22, 1854	191 0 6	1,395 3 4	Dec. 9, 1854	—	—				

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Return of the Names of all Cases now pending before the Commissioners.

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A Return of the Names of all Cases now pending before the Commissioners, and in which any thing remains to be done—*continued.*

Name of Case.	Name of Solicitor.	Date of Presenting Petition.	Rental as stated in Petition. £ s. d.	Amount of Incumbrances as stated in Petition. £ s. d.	Date of Conditional Order.	Date of Absolute Order.	Date of Lodging Abstract.	Date of Direction of Searches by Commissioners.	Date of Sale.	Date of bringing in Draft Schedule.	Date of settling Final Schedule.
George M'Tear,	G. K. V. F. Smith,	Oct. 10, 1854	1,464 12 0	20,495 5 9	—	—	—	—	—	—	—
Bernard Kelly,	Henry O'Beirne,	Oct. 12, 1854	275 7 4	1,635 1 4	Nov. 25, 1854	—	—	—	—	—	—
Alexander Clendenning,	James D. Meldon,	Oct. 14, 1854	138 14 9	920 0 0	Nov. 25, 1854	—	—	—	—	—	—
Anne Legg,	Robert Bowman,	Oct. 14, 1854	214 9 2	10,104 18 9	—	—	—	—	—	—	—
—— Charles, Administrator of —— Connell,	D. A. Nagle,	Oct. 16, 1854	230 16 5	5,745 7 0	Nov. 8, 1854	Dec. 19, 1854	—	—	—	—	—
Trustees of Anne Conry and Another,	John Egan,	Oct. 17, 1854	70 9 4	500 0 0	Jan. 15, 1855	—					
Daniel M. Magill,	John Bates,	Oct. 18, 1854	188 10 0	5,742 2 8	Jan. 31, 1855	—	—	—	—	—	—
Marcus Daly Lecky,	Henry S. Mecredy,	Oct. 18, 1854	2,208 1 11	22,000 0 0	Nov. 18, 1854	—	—	—	—	—	—
Rev. Edward F. Conyers,	Stokes & Creagh,	Oct. 19, 1854	753 5 11	13,692 5 2	Jan. 23, 1855	—	—	—	—	—	—
Louisa B. Taaffe & Others,	Nolan and Foot,	Oct. 21, 1854	7,194 3 1	50,417 18 5	Nov. 18, 1854	—	—	—	—	—	—
William Mitchell,	J. W. Foley,	Oct. 23, 1854	59 18 6	476 16 3	Jan. 13, 1855	—	—	—	—	—	—
C. P. Leslie and Others,	Robert Murdock,	Oct. 24, 1854	Petition for partition.	—	Jan. 14, 1855	—	—	—	—	—	—
Richard Rathborne,	H. T. Graham,	Oct. 24, 1854	206 3 7	15,196 4 10	Nov. 25, 1854	Jan. 18, 1855	—	—	—	—	—
Henry Blennerhassett,	Stokes & Creagh,	Oct. 25, 1854	670 18 2	3,308 2 7	Jan. 31, 1855	—	—	—	—	—	—
John Leader,	Cherry & Hobson,	Oct. 25, 1854	539 4 4	5,469 1 1	Jan. 31, 1855	—	—	—	—	—	—
William Joseph Furlong,	Charles Maunsell,	Oct. 25, 1854	110 0 0	750 0 0	Nov. 20, 1854	Jan. 12, 1855	—	—	—	—	—
Margaret E. Maguire,	John Reilly,	Oct. 25, 1854	31 12 2	175 16 8	Jan. 22, 1855	—	—	—	—	—	—
Edward Little,	Charles Maunsell,	Oct. 25, 1854	—	Partition case.	Jan. 23, 1855	—	—	—	—	—	—
James Riley,	Wm. H. Haslett,	Oct. 25, 1854 No order.	—	—	—	—	—	—	—	—	—
James M'Tear and Another,	Charles Thorpe,	Oct. 25, 1854	1,463 12 0	19,003 16 11	Jan. 18, 1855	—	—	—	—	—	—
Sir Edward S. Hayes,	Robert Murdock,	Oct. 26, 1854	5,106 11 1	54,900 0 0	Jan. 24, 1855	—	—	—	—	—	—
Peter Gorman and Another,	Peter Gorman,	Oct. 28, 1854	183 7 7	2,467 16 1	Jan. 13, 1855	—	—	—	—	—	—
John Glover,	Charles Maunsell,	Oct. 28, 1854	70 1 3	472 10 0	Nov. 20, 1854	—	—	—	—	—	—
John Hill and Another,	James Cramsie,	Oct. 29, 1854	198 16 9	2,070 7 6	Feb. 6, 1855	—	—	—	—	—	—
William Charles Quinn,	M'Causland & Co.,	Oct. 29, 1854	1,914 4 7	4,046 2 9	Jan. 22, 1855	—	—	—	—	—	—
Samuel Morris and Others,	Geo. S. Wybrants,	Oct. 31, 1854	94 9 1	800 5 1	Nov. 25, 1854	—	—	—	—	—	—
Samuel Henry Watson,	Hy. & Jn. Watson,	Nov. 2, 1854	594 13 3	12,921 17 9	Dec. 1, 1854	—	—	—	—	—	—
Peter Fitzgerald,	Samuel F. Adair,	Nov. 2, 1854	750 15 0	5,000 0 0	Dec. 20, 1854	Jan. 16, 1855	—	—	—	—	—
Daniel Magenis Magill,	H. Wallace & Co.,	Nov. 4, 1854	188 10 0	5,742 2 8	Jan. 31, 1855	—	—	—	—	—	—
John Lindsay,	John Conroy,	Nov. 7, 1854	173 11 10	2,074 3 1	Jan. 18, 1855	—	—	—	—	—	—
William Going,	Edmond Power,	Nov. 9, 1854	93 10 8	1,476 2 2	Jan. 19, 1855	—	—	—	—	—	—
Patrick Slattery,	Fred. Hamilton,	Nov. 10, 1854	109 6 0	1,250 5 9	Jan. 22, 1855	—	—	—	—	—	—
Countess Dryenfeld Schomberg,	William Lyons,	Nov. 11, 1854	337 14 6	3,147 13 10	Feb. 5, 1855	—	—	—	—	—	—
Thomas Gibson, Assignee of Thomas F. Comyn,	Matthew Kenny,	Nov. 13, 1854	36 3 6	6,570 0 7	Jan. 29, 1855	—	—	—	—	—	—
Alexander Bailie M'Kee,	Wm. V. & R. Gregg,	Nov. 14, 1854	129 14 2	3,025 13 0	Jan. 24, 1855	—	—	—	—	—	—

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PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, including Post Costs in each case, and specifying the particulars.

The Taxing Officer has been unable, except in comparatively very few instances, to *distinguish* the amounts allowed for Surveys and Valuations respectively, inasmuch as when *the same person* was employed to survey and value the estate, his charge was almost invariably introduced as one item in the Solicitor's Bill of Costs. Upon taxing the Costs, however, the Taxing Officer examined the bill of the Surveyor and Valuator minutely, and only allowed what he considered right on account thereof, and most generally reduced this gross item in the Solicitor's Bill of Costs very considerably; but, with few exceptions, he has no means of now ascertaining how much of the gross item, thus allowed in the Costs, was for Surveying and how much for Valuing, respectively.

In like manner where the same person surveyed and valued the estate, and also printed the rentals, and lithographed the maps therein contained, as was very frequently done by Messrs. Collis, Hodges and Smith, Whitty, &c., the Taxing Officer has now no means of ascertaining the amount allowed for the performance of each *separate* duty, respectively.

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.	Rental, as stated in Petition.	Amount allowed therein for expense of Surveys.	Like for expense of Valuations.	Like for expense of Advertisements and Printing.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
James Fitzpatrick,	Furlong and Latouche,	185 12 5	267 5 1	25 6 1	—	37 19 6
Chambre Corker,	Michael Callaghan,	190 1 6	446 5 4	—	—	95 7 6
William De Montmorency,	George S. Wybrants,	276 6 1	177 19 6	—	—	49 6 0
Charles D. Purcell,	Thomas Carmichael,	1,499 4 3	5,158 4 2	21 8 9	—	184 13 4
John Thomas Jessop,	Billing and Co.,	448 16 1	2,086 11 8	56 16 7	—	157 12 1
William E. Hayden,	John R. Byrne,	145 19 0	498 19 6	—	—	63 4 1
John M'Dermott,	A. R. Symes,	108 16 10	291 19 11	5 16 8	—	24 13 6
Elizabeth Drought,	P. A. Smith,	199 15 6	978 12 9	—	—	19 18 5
Richard Dancer,	John Fawcett,	87 3 2	148 13 1	—	—	22 9 0
Philip H. Crampton,	Samuel Walker,	117 18 5	508 1 3	—	—	26 16 9
Daniel Todd,	Frederick Sutton,	316 5 0	880 16 4	—	—	64 0 7
Joseph Walker,	Thomas W. Bond,	72 16 3	231 0 0	—	—	22 18 6
Robert Richardson,	John Armstrong,	62 7 11	51 0 0	—	—	13 11 9
Jas. Fitzpatrick & Another,	R. W. Coates,	102 8 2	585 7 0	5 0 0	—	44 10 6
John M'Laughlin & Another,	J. A. Beahan,	515 3 1	654 15 2	15 0 0	—	102 16 6
Elizabeth Garde,	Robert Miller,	187 18 2	283 5 5	10 2 6	—	26 13 10
George Tollett,	G. H. Jackson,	61 6 11	120 6 1	—	—	16 14 0
Christopher Kelly,	Luke Duff,	102 5 1	Owner's hands.	—	—	41 8 8
Assignee of R. Pratt,	John T. Armstrong,	72 2 5	71 13 0	—	—	15 7 11
James Balfe,	Cooke and Larkin,	123 14 1	191 1 1	6 9 6	—	41 18 2
William R. Munce,	R. P. Tighe,	80 7 2	Owner's hands.	—	—	18 13 3
George Keane,	Cullinan and Bunton,	55 19 4	24 0 0	—	—	11 4 0
Robert Curtis,	John H. Chomley,	59 6 10	30 0 0	—	—	10 9 0
Thomas H. Justice,	Henry Baggs,	113 11 9	200 0 0	—	—	32 18 4
D. B. Daly,	Henry T. Graham,	118 1 3	856 7 0	—	—	32 7 11
George Davey,	J. Perry,	127 8 2	560 0 0	—	—	67 12 6
William Harington,	William Roche,	143 13 9	364 15 8	—	—	55 3 3
Mary Brazil and Others,	John Faris,	66 6 4	235 3 10	—	—	19 13 0
William Darcy	John Collum,	518 7 1	4,214 4 11	99 0 0	—	111 6 0
John Vero and Others,	Thomas W. Bond,	50 3 5	200 0 0	—	—	15 19 6
Trustees of William Pasley,	George H. Belas,	106 13 11	95 1 6	—	—	18 7 6
Sir James Cotter,	John Faris,	80 19 5	377 2 6	—	—	23 8 8
Frederick M. Callaghan,	Murdock Green,	203 8 7	856 14 10	30 9 0	—	27 16 10
Richard Corballis,	Luke Duff,	99 13 8	193 12 0	—	—	21 3 7
Peter Jackson,	A. R. Symes,	158 3 1	81 14 7	7 2 2	—	36 2 6
Sarah Hannington,	Luke Duff,	131 7 3	283 1 4	—	—	38 16 0
Thomas C. Ponsonby,	George W. Thompson,	120 9 7	576 0 0	—	—	30 7 6
Samuel Dopping,	William Gibson,	487 11 1	5,423 2 10	22 10 0	—	161 5 6
Eleanor O'Ferrall and Others,	Henry Battersby,	82 12 10	162 1 10	—	—	18 4 0
John Ousley and Others,	T. Courtenay,	64 11 6	213 8 11	—	—	13 19 6
Assignee of Charles Nangle,	Jeremiah Perry,	115 18 9	429 0 10	—	—	48 15 4
Assignee of G. Browne,	George D. Fottrell,	170 18 0	276 10 11	14 9 0	—	66 15 5
Assignee of G. Hodgens,	Murdock Green,	58 8 5	24 11 10	—	—	10 1 0
W. H. Latham and Another,	Alfred H. Middleton,	242 6 11	255 13 0	—	—	100 13 0
John Johnston,	Thomas Jameson,	128 6 8	153 4 0	—	—	20 18 0
Assignee of Wm. D. Persse,	Robert Maxwell,	89 8 8	617 5 7	The proceedings in this Estate were amalgamated.		and another
Hyacinth Darcy,	Joseph S. Moore,	1,232 8 0	2,067 1 3	—	—	342 7 0
George B. Jackson,	Foley and O'Sullivan,	167 14 7	162 5 0	—	—	74 10 6
James Crosbie,	Connell Loughnan,	127 19 10	97 1	10 5 6	—	21 2 4
M. W. Palliser and Another,	James W. Quinlan,	340 13 2	1,233 3 1	19 9 0	—	100 8 10
B. M'Gauley and Others,	P. King,	51 13 11	40 0 0	—	—	15 9 0
Hugh M. R. Ryves,	John Orpin,	321 1 5	1,604 16 10	18 3 8	—	144 9 4
William J. Cusack,	John Russell,	74 6 8	230 10 6	—	—	16 12 0
Assignee of John Lambert,	John Robinson,	113 3 5	118 1 2	—	—	7 13 6
Arthur C. F. Crowe,	William Gibson,	250 3 2	1,082 5 5	—	—	43 12 0
Joseph Harpur,	Samuel L. Frazer,	42 7 7	16 10 4	—	—	11 0 8
Assignee of John Kennedy,	John Eyre,	178 15 1	209 6 11	—	—	43 11 5
Hercules Robinson,	Thomas S. Snagg,	180 3 2	149 15 6	—	18 10 0	28 8 9
Henry J. Harding,	George Dartnell,	147 10 6	80 0 0	—	—	10 5 6
Joseph Robins and Others,	Joseph W. Foley,	184 17 2	219 4 6	—	—	18 13 10
Edward Nugent,	John J. Harkan,	86 15 7	71 6 2	—	—	23 12 0
John C. Read,	John H. Chomley,	436 10 9	42 10 10	17 2 0	—	55 13 4
Jane Boyd,	Hugh Wallace & Co.,	111 4 4	Part in owner's hands. 235 13 4	14 10 6	—	19 4 2
Justin M'Carthy,	F. H. Tuckey,	95 1 8	323 0 8	—	—	20 9 5
Margaret Coates,	William R. Meredith,	123 15 0	194 6 0	3 4 6	—	30 18 6
Garrett S. Barry,	Francis H. Tuckey,	339 3 7	1,400 10 9	—	21 10 4	105 7 5
Denis Daly,	Edward Piers,	343 6 6	1,445 10 0	27 17 10	—	175 4 11
Elizabeth Cuthbert,	Luke Duff,	223 12 1	427 10 0	—	—	75 18 3

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.	Rental, as stated in Petition.	Amount allowed therein for expense of Surveys.	Like for expense of Valuations.	Like for expense of Advertisements and Printing.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Marmaduke T. Fozier and Others,	John Fawcett,	165 18 9	250 0 0	7 8 2	—	65 13 6
Edward J. Nugent & Another,	Geale and Dwyer,	239 2 4	1,411 5 4	—	—	52 12 6
James Denny,	A. T. Chatterton,	163 18 1	852 19 9	—	—	48 8 4
Assignee of George M. Hanly,	R. H. M'Donnell,	150 4 1	285 16 3	—	—	34 13 8
Charlotte Donellan,	James B. Kennedy,	413 0 1	1,198 12 2	48 16 6	—	179 17 10
John J. Armstrong,	William Thos. Mowlds,	46 15 8	42 5 0	—	—	—
Rev. John Lymbery,	Henry Roche,	86 5 11	272 0 11	—	—	25 6 6
William De Montmorency,	Duckett and Gordon,	450 12 6	2,117 10 1	91 7 2	—	212 11 6
Richard Duckett,	Edward Corcoran,	495 5 3	320 8 0	—	—	77 1 9
Assignee of Gregory Browne and Others,	W. H. Mecredy,	34 12 9	266 10 10	The proceedings in this Estate were amalgamated.		and another
Thomas White,	John Robinson,	114 9 8	545 10 0	7 19 0	—	25 15 10
Robert Warren,	Thomas W. Corker,	426 18 7	859 16 7	2 0 4	—	78 14 9
William D. Persse,	R. C. M'Nevin,	297 7 10	279 0 9	—	—	101 9 1
Martin Lynch,	R. C. M'Nevin,	162 5 0	1,312 1 8	17 10 0	—	48 18 10
Assignee Charles Reilly,	Robert Storey,	108 5 7	231 11 9	4 11 4	—	35 15 10
Richard Williams,	Charles and J. S. Gaussen,	143 6 2	350 5 10	10 18 0	—	64 4 0
Henry J. Batchelor and Another,	William M. M'Cay,	121 11 9	30 0 0	—	—	38 0 3
Gustavus W. Lambert,	Thomas E. Wright,	360 11 8	1,043 3 2 Part in owner's hands.	—	—	116 10 2
Edmond Molony and Others,	John Ryan,	169 5 0	377 1 4	9 10 1	—	74 10 10
Michael Glennon,	Robert Murdock,	66 5 2	In owner's hands.	—	—	9 15 0
William Kelly,	Robert Power,	148 8 10	209 17 0	—	—	59 9 10
Walter Atkin,	Garde and Atkinson,	90 9 9	138 1 2	—	—	24 2 4
Eyre Lynch,	John S. Abbott,	156 2 6	269 9 6	9 18 6	—	56 1 4
Thomas Walker,	Thomas J. Beasley,	146 0 4	121 7 9	—	—	38 9 1
Edward B. Thornhill,	Sam. S. and E. Reeves,	524 7 4	3,855 13 3	—	—	291 9 10
James Devereux,	George Little,	19 3 6	748 1 3	—	—	10 12 0
James Pommeret,	Charles F. Brabazon,	60 6 6	136 10 0	—	—	28 7 6
George Patterson,	Robert Casey,	101 18 3	260 0 0	—	—	42 5 6
Sir William O'Malley,	David Mahony,	86 0 0	56 2 6	—	—	29 5 6
Edward C. Villiers,	William Fry,	1,007 13 1	3,796 8 6	—	10 0 0	505 6 0
Assignee P. W. Russell,	William Fry,	371 5 11	658 15 11	55 0 2	—	134 5 0
James V. R. Gregg,	William Davies,	247 0 2	985 6 3	—	—	51 7 10
Earl of Aldborough,	Murdock Green,	486 15 4	2,629 1 7	14 12 4	—	278 9 8
Arthur C. F. Crowe,	William Gibson,	107 12 7	1,153 18 2	—	—	42 6 6
Mary A. Webb,	Henry P. Woodroofe,	77 15 8	104 0 10	—	—	23 9 6
Assignee of A. Robinson,	Thomas Courtenay,	207 1 11	807 7 3	50 16 6	—	43 0 6
Hugh O'Loughlin,	Michael Kerin,	133 17 10	86 7 0	—	—	45 17 4
Maxwell J. Boyle,	Avary Holmes,	366 10 1	742 17 1	138 7 3	—	190 6 7
Robert Dickinson & Another,	James D. Meldon,	263 17 4	419 2 3	1 1 0	—	87 4 8
John S. Dwyer,	Samuel F. Adair,	398 4 5	652 0 8	48 14 6	—	183 8 2
Richard Watters,	Billing and Co.,	103 2 1	60 0 0	11 15 6	—	32 6 8
Edward Ryan and Another,	Billing and Co.,	273 15 9	338 12 4	12 2 0	—	52 0 9
William Clarke and Another,	David Galbraith,	141 12 7	501 16 10	—	—	41 9 8
Anne Stubbs,	Garde and Atkinson,	150 5 7	174 0 0	—	—	47 9 5
Clifford Trotter,	W. H. Mecredy,	365 18 9	1,089 18 7	—	—	171 6 6
Robert Kidd and Another,	Michael King,	121 1 2	118 3 8	12 11 10	—	20 16 9
Anne M. Conrahy and Others,	John Ball,	212 10 8	174 14 0	12 6 10	—	46 15 9
Alexander O'Grady Rose,	Garde and Atkinson,	609 6 8	862 12 0	51 7 9	18 14 3	271 8 8
Devisee of Michael Creagh,	Garde and Atkinson,	796 2 7	506 2 5	65 9 0	—	264 11 2
Richard Ashe and Wife,	Patrick Scott,	401 9 7	1,445 3 9	—	—	174 10 11
Mary Kent,	Thomas W. Reeves,	120 17 11	25 13 10	—	—	38 13 4
Assignee of Robert Robinson,	John Riddick,	81 18 7	65 10 0	—	—	16 8 8
Robert Westropp,	John Bunton,	160 1 9	1,452 17 3	41 8 0	—	7 0 6
John N. Blake,	William Dix,	527 10 2	1,154 14 1	78 16 6	—	164 17 4
William Collopy,	James D. Meldon,	100 11 2	160 0 0	—	—	31 0 6
Alexander Madill,	Francis H. Tuckey,	148 0 0	300 16 0	—	—	27 11 6
John Graham,	Charles Whitton,	72 3 2	200 0 0	—	—	12 14 8
Charles Henry Smyth,	John Smyth,	125 9 0	399 6 6	—	—	57 10 10
George King,	Thomas Wilson,	113 16 2	242 2 3	—	—	39 16 3
Joseph Carincross & Another,	P. Ward,	408 5 8	666 5 0	—	—	97 17 4
Pierce Morton,	William Tatlow,	425 15 0	2,588 10 1	—	—	158 6 5
Assignee of Geo. Clendinning,	H. G. Grady,	98 2 7	56 1 6	27 12 4	—	4 18 6
Henry Wm. Knox & Another,	H. G. Grady,	255 18 3	In owner's possession.	59 2 0	—	76 3 2
Patrick Ruth,	William G. Delany,	68 0 7	103 10 0	—	—	19 3 0
James M'Cormick,	William Gibson,	68 19 4	34 0 0 Part in owner's hands.	—	—	6 16 6
John Dillon Croker & Another,	James Lane,	665 16 5	1,871 18 2	30 12 0	5 5 0	113 18 3
John Tuthill,	Edward White,	163 5 8	1,308 2 0	7 3 8	—	73 0 0
Patrick M'Loughlin,	R. and W. Copinger,	113 8 4	70 0 0	—	—	21 18 6
A. G. B. Martin and Wife,	Lynn Carew,	488 9 1	9,425 6 6	—	—	61 9 6
William James Kelly,	M'Causland & Fetherstone,	209 12 5	193 2 6	73 15 10	—	70 12 6
Thomas Bracken,	George Gresson,	127 1 9	147 18 8	5 10 0	—	32 7 2
Paul Ivy Sterling,	W. H. Mecredy,	125 5 11	418 13 5	8 13 11	—	41 5 8
Edmond Barry,	Henry Bastable,	100 12 8	75 9 3	—	—	24 17 10

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.			Rental, as stated in Petition.			Amount allowed therein for expense of Surveys.			Like for expense of Valuations.			Like for expense of Advertisements and Printing.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
John O'Dell,	Irvine and Reid,	414	3	2	447	14	4	45	8	3		—		84	17	9
William Cox,	Irvine and Reid,	409	7	8	375	15	9	25	3	11		—		134	8	10
Robert James Devereux,	Ryan and Brady,	258	13	1	748	1	3		—			—		131	16	6
Hans James Hamilton,	John Smith Abbott,	213	16	0	288	2	6	17	19	8		—		41	19	1
Trustees of Margaret Blake,	John Robinson,	179	17	10	131	18	9	10	19	6		—		53	19	2
William Garnett,	William Tatlow,	90	18	0	90	19	5		—			—		26	19	6
Sophia M. Ireland,	William R. Meredith,	483	11	2	476	17	10	19	17	1		—		147	5	11
Hewitt Bridgeman,	William Hy. Magrath,	74	12	6	137	5	6		—			—		25	9	10
George P. L. Mansfield,	John Rorke,	141	9	0	422	9	11	10	8	7		—		33	1	0
Steele Hawthorne,	Thomas Conry,	123	2	1	914	1	2		—			—		16	6	0
Jeremiah Tully,	John Robinson,	140	0	0	97	10	0		—			—		39	18	10
Henry Higgins,	J. M. Cantwell,	79	10	11	71	13	0		—			—		15	13	6
George and Samuel Hamilton,	Hugh Swanzy,	124	18	3	447	16	6		—			—		24	11	8
John Kirkland,	John T. Armstrong,	163	12	6	463	17	3	12	10	9		—		29	0	3
Richard Massy,	Delmege and Ferguson,	169	17	7	192	16	9	17	19	6		—		42	13	9
John Lalor,	Joseph Hanly,	259	1	10	302	13	1	17	3	1		—		107	4	9
Hon. A. G. Stewart,	Hugh Simpson,	252	2	0	285	1	3	20	9	9		—		91	3	10
Edward Walpole,	Benjamin Tilly,	203	19	8	235	12	10	12	15	0		—		52	17	4
Richard H. Purcell & Others,	Thomas Carmichael,	210	0	1	249	19	4		—			—		48	14	8
Earl of Mountcashell,	Patrick Scott,	3,259	15	7	18,494	0	0		—			—		1,894	11	11
William Henry Hackett,	Edward Carr,	218	18	6	119	0	0		—			—		33	11	6
Jonas M. Townsend and Another,	Paul Limerick,	101	6	7	230	0	0	3	11	5		—		22	15	9
John D. Brady,	Frederick Hamilton,	259	16	7	1,195	12	9		—			—		78	18	9
Edward D. Freeman,	Henry Baggs,	1,231	11	7	3,530	16	10	173	0	6		—		571	13	2
William P. A. Sutton,	Laurence Mooney,	244	3	4	1,136	13	7	10	5	6		—		88	9	8
Arthur Coates,	Charles Kelly,	126	1	1	455	9	10		—			—		20	2	6
John Parker,	John Armstrong,	131	16	10	80	5	11		—		2	2	0	42	2	1
John James Bodkin,	R. C. M'Nevin,	747	10	3	992	10	2	104	2	2		—		266	18	10
Jane Bird and Others,	Thomas Ardill,	114	15	8	373	3	10	11	0	6		—		25	12	3
Richard Hugh Levinge,	Garde and Atkinson,	187	10	8	207	13	3		—			—		27	11	11
Walter John Carew,	Alexander Durdin,	622	0	4	1,245	10	8		—			—		145	11	4
Stafford Gorman,	Hitchcock and Black,	154	14	5	239	11	6		—			—		28	8	4
Sir Eustace F. Piers,	T. W. Gahan,	542	10	7	899	0	0		—			—		285	13	5
Thomas Astell Welsh,	George Armstrong,	186	7	0	1,178	19	1	20	18	5		—		55	11	3
James D. Macnamara,	Henry Wrendfordsly,	1,004	16	4	930	8	0	96	0	0	12	14	4	417	7	0
Richard Lett,	Edward Carr,	213	7	10	655	8	6		—			—		54	12	0
Assignee of Arthur Collins,	Cornelius Denvir,	78	8	5	42	1	3		—			—		13	12	0
Assignee of Robt. Macartney,	William M'Dermott,	173	17	10	159	10	8		—			—		29	19	3
Henry Mitchell, jun.,	Robert Murdoch,	197	8	9	391	0	0	7	19	4		—		50	1	9
John Sullivan,	N. D. Murphy,	82	5	2	107	0	0		—			—		20	5	1
John Creaghe,	Delmege and Ferguson,	237	18	5	252	19	10	37	3	0		—		65	5	11
Francis Synge,	Hallowes & Hamiltons,	687	3	7	7,678	16	5		—			—		33	19	6
Gilbert Conry and Another,	W. Johnston,	129	0	2	45	10	10	2	0	9		—		20	18	9
Rev. John Locke & Another,	William Roche,	303	17	10	536	4	8		—			—		119	0	3
Assignee of J. B. Colthurst,	Thomas W. Corker,	371	18	1	389	2	6	23	16	6		—		35	2	0
George Faulkiner,	Alfred H. Midleton,	141	2	7	61	19	7		—			—		20	1	0
Thomas Bond and Others,	John Fleming,	829	14	10	2,309	1	0		—			—		167	15	0
Mary Morris,	John Joseph Clarke,	71	18	5	54	15	0		—			—		17	19	3
Rev. Richard Homan,	Gressan and Clarke,	194	3	4	526	10	5	24	16	9		—		48	2	2
John Drumgoole Brady,	J. W. Foley,	185	12	11	265	7	0	12	12	0		—		33	17	10
James Tipping,	Gibson, Todd, & Co.,	109	4	2	100	7	7		—			—		37	10	0
Charles A. Tennant,	Garde and Atkinson,	407	2	1	1,547	10	9	12	6	7	26	12	4	142	15	9
John Barrett,	Murdock Green,	115	13	4	221	3	6	6	5	3		—		17	7	8
George Crofts,	Murdock Green,	228	0	3	424	10	2	33	19	2	16	14	9	23	19	8
Assignee of J. Beale,	Thomas W. Reeves,	215	1	8	332	10	7		—			—		88	19	6
Assignee of H. Armstrong,	Wm. M'Dermott,	121	19	0	47	11	3		—			—		25	17	5
Thomas Rea,	John Bates,	64	2	9	165	10	0		—			—		12	10	2
Col. J. Campbell and Wife,	Tisdall and Johns,	88	10	3	129	17	7		—			—		14	8	9
Foster Fyans,	Henry A. Dillon,	104	8	0	30	9	3		—			—		25	19	4
Nathaniel Alexander,	Robert Crookshank,	647	10	1	Not stated.			124	18	9		—		122	14	5
James Smallhorn,	Jeremiah Mara,	108	5	4	37	3	8	6	13	0		—		18	7	9
Elizabeth Morris and Others,	Newman and Tandy,	237	16	4	595	19	0		—			—		108	7	8
Assignee of J. O'Reilly,	T. Cronhelm,	130	16	3	55	14	0	1	1	4		—		14	5	9
Harriet Malone and Others,	James D. Meldon,	174	7	9	67	10	8	9	0	0		—		29	15	0
Trustees of J. O. Glenny,	John Vincent,	68	15	9	22	15	0		—			—		9	3	2
Thomas H. O'Dell,	Delmege & Ferguson,	139	9	7	97	18	6		—			—		8	12	8
James W. M. Wall,	Mortimer and Taylor,	251	5	8	3,358	13	5	19	19	0	6	13	0	68	8	6
Joseph Smith,	Stokes and Creagh,	242	18	2	348	18	6	98	14	8		—		44	3	6
John Jones,	Archibald Robinson,	73	0	7	43	18	3		—			—		11	17	9
Robert Tweed,	George H. M'Neill,	95	18	7	In possession of owner.				—			—		13	18	8
Assignee of W. H. Johnson,	Alexander Dudgeon,	132	6	10	227	15	11	3	3	3		—		30	2	9
Elizabeth Lamb & Another,	Frederick Hamilton,	284	6	0	98	19	9	2	5	6		—		22	11	3
Edward Ruthven,	Henry G. Kelly,	204	8	1	93	4	11		—			—		38	13	6
Thomas H. Harte,	John G. St. Leger,	80	16	3	172	18	9		—			—		26	12	9
Francis Lestrange,	Thomas Walsh,	97	12	6	40	10	0		—			—		25	3	3
Benedict Arthure,	William H. M'Grath,	370	0	5	2,951	7	10	15	10	4		—		201	14	10
Hon. C. T. Skeffington,	Geale and Dwyer,	179	1	0	856	17	7		—			—		44	16	0
Thomas M. Prior,	Read and Crawford,	180	15	1	47	6	0	5	10	0		—		38	7	0
Michael Thunder & Others,	Hart and O'Hara,	439	9	5	1,985	8	5	80	10	8		—		167	18	8

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.	Rental, as stated in Petition.	Amount allowed therein for expense of Surveys.	Like for expense of Valuations.	Like for expense of Advertisements and Printing.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Robert M'Neale,	Cornelius Denvir,	110 8 8	42 2 11	—	—	20 19 10
John Russell and Another,	Joseph Hanly,	308 19 4	272 5 0	—	—	86 4 6
Assignee of Robert Minford,	Alex. & D. O'Rorke,	62 3 11	In owner's possession.	—	—	9 8 11
William Samuel Sealy,	Stokes and Creagh,	263 12 6	526 14 2	28 5 1	—	84 13 8
Rc r. D. Fitzgerald,	Edward White,	114 13 8	159 13 0	—	—	39 18 5
Mathew L. Scanlan,	David O'Kelly,	227 10 10	354 0 6	31 11 6	—	99 1 0
Robert Tresilian,	T. K. Sullivan,	101 19 5	68 0 0	—	—	12 15 5
Assignee of W. H. B. Waller,	William Fry,	410 0 3	794 0 0	—	12 0 0	112 11 6
Assignee of C.T.H.H.Lewin,	Arthur R. Symes,	375 5 11	523 4 3	34 4 7	—	143 7 11
Assignee of H. P. Baker and Wife,	William M. Moore,	176 0 9	407 13 6	31 3 4	—	22 17 8
Eleanor Bulteel and Others,	David Kelly,	36 9 3	41 12 7	—	—	5 8 3
Henry Parker and Others,	Murdock Green,	788 19 0	1,641 10 6	—	—	271 15 6
Henry Concannon,	Lewis G. O'Neill,	144 15 0	80 0 0	8 19 8	—	17 3 3
Francis B. Hingston,	F. H. Tuckey,	55 8 10	46 17 6	—	—	8 15 3
John Burke,	Robert L. Kane,	276 7 8	74 19 2	48 9 0	—	46 6 3
Earl of Kingston,	Leonard Morrogh,	7,342 0 8	20,503 11 9	3,018 3 9	52 10 0	2,178 5 7
John & Morgan J. O'Connell,	D. & T. Fitzgerald,	1,865 7 5	3,200 0 0	286 9 5	—	738 5 5
Edward G. Bell,	John Orpin,	93 10 3	237 0 0	—	—	19 7 0
James Aylmer,	Hart and O'Hara,	268 14 8	487 6 10	—	9 1 0	89 7 10
Assignee of James Lynch,	William H. Walsh,	115 13 3	101 16 11	5 0 0	—	36 14 6
Jane Bryan and Others,	W. H. Mecredy,	123 1 5	102 15 2	2 7 9	—	39 2 0
Thomas W. Lloyd,	C. and J. S. Gaussen,	148 16 8	1,102 7 1	5 15 3	—	59 5 1
James Minchin,	W. G. Delany,	132 0 11	313 7 5	9 0 0	—	19 2 3
Henry Fry,	William Fry,	279 6 6	373 5 5	—	3 3 0	73 18 0
Rev. John Johnston,	George Bernard,	52 18 4	20 3 2	—	—	3 6 0
Assignee of A. B. Bernard,	Murdock Green,	490 9 0	594 12 2	38 5 10	—	214 13 9
Assignee of R. O'Connor,	Peter Gorman,	213 10 2	144 19 6	5 14 3	—	38 19 10
Cecilia Byrne,	William Kent,	166 6 3	Not stated.	—	—	35 19 6
Margaret P. Flynn,	Henry Bastable,	205 1 11	395 6 2	—	—	43 17 0
Margaret Griffith and Another,	Charles & J.S. Gaussen,	133 17 4	58 15 10	1 17 3	—	21 19 2
Michael Kelly,	John Fawcett,	135 10 0	34 15 6	—	—	45 11 9
George F. O'Flaherty,	Thomas Stratford,	199 3 9	392 13 10	53 10 6	—	5 16 9
Adam Fuller,	John & Charles Ball,	91 3 5	138 5 2	—	—	18 0 9
Samuel Maunsel,	William Tuthill,	322 12 2	513 7 4	9 0 4	7 17 6	85 19 3
Richard Smyth,	John Smyth,	159 13 6	343 10 0	26 5 6	—	58 1 9
Rev. Sir C. R. Lighton,	John Robinson,	338 5 1	1,976 0 7	—	—	83 2 11
George L. Shanahan & Others,	Michael Shortall,	190 1 5	387 16 1	—	—	30 9 3
Assignee of Hon. G. Ffrench,	S. F. Adair,	490 17 1	1,367 17 10	39 7 2	11 8 7	196 13 10
John Curtin and Another,	Henry Bastable,	89 5 10	265 5 1	—	—	25 4 6
Michael Rowan,	Patrick Hickie,	70 4 11	70 0 0	—	—	16 8 9
Charles P. M'Daniel,	Henry P. Woodroofe,	162 13 1	453 17 9	4 17 3	—	68 11 6
John Balfe,	James D. Meldon,	284 16 0	270 7 5	—	—	84 2 7
Benjamin Clare,	James D. Meldon,	297 9 10	68 0 0	9 0 0	—	69 16 7
Laurence W. Nowlan—P. Coyne, Petitioner,	William Geo. Delany,	242 11 3	188 13 11	8 6 0	—	32 6 9
Richard H. H. Becher,	Footts and Fitzsimons,	964 18 3	3,996 8 6	86 0 6	—	384 12 2
John Bateman,	John Tatlow,	176 6 3	1,030 0 0	18 15 2	—	53 4 0
Laurence W. Nowlan—J. H. Owen, Petitioner,	P. A. Smith,	26 1 2	191 11 8	The proceed and another amalga	ings in this Estate were mated.	2 14 0
Edmond Hogan,	Mathew Kenny,	48 8 7	23 0 0	—	—	9 19 1
Richard White and Others,	Charles Fitzgerald,	109 18 9	826 3 6	—	—	27 19 5
Assignee of John Stephens,	R. A. & S. Walker,	351 2 3	1,250 12 0	16 16 6	—	48 17 0
Ralph S. Phillips,	John O. Woodhouse,	67 15 1	38 6 0	—	—	13 10 1
Thomas Disney,	Henry Battersby,	58 18 0	80 0 0	—	—	8 13 6
William M'Cullagh,	John Bates,	57 19 4	23 0 0	—	—	6 12 5
Henry Love,	Tisdall and Johns,	54 6 3	56 0 0	—	—	6 18 9
Victor E. O'Ferrall,	E. Carr,	287 11 5	1,098 8 3	—	—	53 10 11
Westby Percival,	William Magrath,	261 1 4	562 0 0	—	—	72 19 8
Robert D. Browne,	James D. Meldon,	762 2 5	1,153 0 0	—	—	298 8 11
Assignee of William Burke,	James D. Meldon,	670 8 0	1,300 5 2	—	—	271 9 5
Assignee of Edward Sullivan,	Edward Fitzgerald,	166 2 11	153 9 3	—	—	34 18 4
Walter Blake,	R. C. M'Nevin,	350 4 10	1,081 17 0	120 19 0	—	16 4 6
Garrett H. Fitzgerald,	John Orpin,	169 7 3	145 1 1	—	—	31 14 6
Harriett Revell and Others,	A. H. Middleton,	106 1 2	108 19 4	8 8 0	—	29 18 1
Francis Sillery,	William Leech,	93 3 8	156 3 7	8 8 0	—	5 0 0
Thomas Gowan,	Henry P. Woodroofe,	87 15 3	178 2 0	—	—	34 6 0
John C. D. Coane,	William H. M'Grath,	328 17 3	590 16 11	62 10 0	—	138 3 8
William J. Smith,	Henry G. Kelly,	96 0 8	145 7 5	—	—	19 19 0
James O'Meara,	Henry G. Kelly,	290 3 1	964 16 2	—	—	56 13 3
Thomas Ware,	James Lane,	418 4 10	598 12 4	14 2 0	—	202 9 9
Richard Leyne,	Stokes and Creagh,	222 2 10	343 13 0	57 3 3	—	49 8 2
Cuthbert Fetherston H.,	Edward Fetherston H.,	159 7 0	983 3 5	—	—	12 10 0
William Austen,	William A. Sherlock,	179 4 0	212 2 1	—	—	55 11 11
Rev. J. C. Hudson,	H. and J. Swanzy,	73 9 10	197 7 9	—	—	12 7 0
Lord Cecil Gordon and Wife,	John S. Abbott,	668 11 6	2,665 18 9	40 14 0	—	360 6 1
William Kelly Wilton,	John Rorke,	335 2 0	987 7 6	65 0 7	15 0 0	56 12 11
Frederick Jackson,	J. M. Williamson,	48 14 9	980 5 9	—	—	1 1 0
		The proceedings in this Matter were amalgamated with those of another Estate.				

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.			Rental, as stated in Petition.			Amount allowed therein for expense of Surveys.			Like for expense of Valuations.			Like for expense of Advertisements and Printing.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
William Lane,	Parker and Large,	55	15	4	70	0	0		—			—		13	8	3
George Walcott,	William Hitchcock,	66	6	8	336	11	8		—			—		20	12	3
George W. Hodges & Another,	Thomas M'Mahon,	282	13	2	564	1	5	15	18	11		—		73	17	7
William Fitzpatrick,	Robert Casey,	119	16	9	54	7	1		—			—		22	3	9
Mary E. Moorehead & Another,	Alexander Dudgeon,	176	15	1	239	9	0	3	6	7		—		25	3	11
Elizabh. Montgomery & Others,	John Bates,	97	2	8	219	1	8		—			—		14	10	6
Alexander Berry and Wife,	John Faris,	143	11	3	Possession of owner.				—			—		23	12	10
William Cox,	Irvine and Reid,	119	8	11	375	15	9	14	15	7		—		63	9	3
Michael Grace,	W. S. Molony,	169	10	3	115	8	0	5	0	0		—		53	5	6
Morgan W. J. Kavanagh,	James Lane,	246	11	8	292	8	7	2	2	0	7	12	0	87	15	2
George Ruttledge,	James D. Meldon,	1,084	10	2	2,024	13	9	71	17	4		—		607	10	0
Samuel Jacob and Another,	Samuel F. Adair,	1,419	14	6	5,110	3	7		—		20	0	0	645	14	9
Mary Phillips and Another,	James D. Meldon,	169	19	4	95	0	0	4	4	0		—		41	17	10
Josephine Handcock & Another	William Gibson,	215	16	10	321	13	5	8	8	9		—		36	10	6
Bernard M'Manus,	O'Flaherty and Dillon,	299	11	0	1,116	17	0	58	19	3		—		78	11	0
Assignee of E. D. W. Reid,	John Dinnen,	60	13	4	58	12	6		—			—		8	19	11
Assignee of Sir T. H. Roberts,	N. D. Murphy,	299	17	0	1,064	12	1	22	0	3	9	17	2	105	4	6
Assignee of John S. Mills,	G. R. Wade,	60	8	1	41	1	3		—			—		19	7	6
Lord Viscount Gort—V. Knox, Petitioner,	William T. Galway,	1,134	3	7	3,388	14	9	93	7	8		—		562	3	10
Martha Rancland,	T. K. Sullivan,	118	14	3	76	16	1	3	2	2		—		22	7	0
Dame Charlotte Burgoyne,	Newton & Armstrong,	119	11	2	340	10	0	5	18	0		—		42	17	11
William Richard Crosbie,	Thomas Jameson,	82	3	6	223	3	11	4	14	6		—		16	15	0
Allan Hanly,	Alexander Forster,	134	14	4	282	2	6		—			—		30	4	1
Charles Meredith Bunn,	T. and H. Geoghegan,	137	19	4	259	4	6		—		5	0	0	35	0	8
John Terence Flanagan,	Luke Duff,	154	19	3	120	0	0		—			—		73	1	0
Frederick Wm. De Moleyns,	Stokes and Creagh,	263	6	1	1,222	1	2	36	17	9		—		47	3	3
Margaret E. M. Begg,	William K. Clay,	306	18	4	1,019	18	10	13	10	3		—		101	10	3
Adam Birney,	O'Flaherty and Dillon,	68	5	6	21	0	0		—			—		16	1	6
Lord Langford,	Samuel S. & E. Reeves,	1,025	12	4	5,814	7	1	3	19	11		—		494	13	6
Edward W. Bond,	Thomas Jameson,	481	13	5	1,678	9	5	22	0	10		—		130	9	11
John Burke,	Richard C. M'Nevin,	220	17	4	47	19	2	27	5	0		—		87	13	7
Matthew Connolly,	Richard C. M'Nevin,	304	6	7	420	15	1	37	2	0		—		9	14	0
Henry Jackson and Others,	George S. Wybrants,	226	12	3	70	14	4	10	4	6		—		21	14	0
Robert B. Foster,	Richard C. M'Nevin,	817	10	8	1,416	16	11	75	2	4		—		233	13	3
William H. Greene,	Robert W. Cherry,	545	9	3	1,677	8	2		—		8	15	6	196	9	2
Daniel J. Moynahan,	R. and W. Coppinger,	238	17	4	143	19	8	10	10	0		—		20	17	0
Thomas O'Brien,	Matthew Kenny,	110	14	10	498	7	8		—			—		30	10	3
John Irwin,	W. H. Mecredy,	468	5	5	668	19	1	13	9	9		—		206	1	2
Thos. Hemsworth & Another,	Robert Smith,	335	8	5	740	10	0		—			—		75	5	0
Frederick Nixon,	Lewis and Howe,	157	7	11	214	14	6	9	19	9		—		47	12	0
Ottiwell Hayes and Another,	Francis H. Tuckey,	269	1	6	600	3	1	2	13	9	14	5	10	49	6	4
Justin and Robert M'Carthy,	R. J. T. Orpen & Co.,	1,404	11	11	6,442	2	11	11	16	0	68	18	10	636	18	6
George Lloyd,	George W. Thompson,	261	3	0	111	0	0		—			—		43	11	10
Hardy Eustace,	William Whitton,	178	0	8	423	0	9		—			—		29	12	3
Robert P. Ronayne,	Hallowes & Hamilton,	314	0	0	340	5	0	16	0	0		—		102	17	6
John Walker,	Richard Jennings,	68	12	6	242	13	8		—			—		11	1	9
George Lloyd,	Delmege & Ferguson,	292	19	8	76	2	7	42	14	8		—		82	1	9
Thomas Darcy Evans,	Delmege & Ferguson,	435	17	8	4,915	14	9	112	17	8		—		98	17	6
Thomas Gosselin,	John Tatlow,	127	5	7	150	0	0		—			—		19	17	3
Assignee of John Bennett,	John Julian,	128	19	0	221	3	6		—			—		7	9	9
John George Pyne,	Patrick Scott,	209	6	9	439	11	4	7	7	6		—		53	9	3
Hercules Robinson and Wife,	Thomas Walsh,	1,538	7	4	4,215	4	0	83	7	3	45	0	0	1,102	11	10
John O'Callaghan,	William H. M'Grath,	249	7	3	372	9	4	16	10	0		—		77	13	2
Grice Richard Smith,	Charles Maunsell,	190	11	7	332	2	9	33	15	10		—		18	7	5
Mary Roberts and Others,	Thomas J. Scannell,	143	8	4	66	2	6	5	19	5		—		26	17	9
Edward Synge,	William H. M'Grath,	528	7	5	1,334	1	1	57	11	2		—		302	19	10
George Baker,	Murdock Green,	229	5	8	490	8	5		—			—		50	1	0
Alexander O'Driscoll Taylor,	T. M'Carthy Downing,	167	11	1	226	8	4	4	11	8		—		26	19	0
Thomas Mitchell,	Edward Fetherston H.,	101	18	1	232	1	1	5	14	6		—		15	14	6
John Joseph Lopdell,	Frederick Sutton,	146	11	7	523	10	1		—			—		37	3	0
Thomas Millington,	John Fitzgerald,	104	5	0	239	4	7	21	2	0		—		16	10	0
Assignee of Robert Reid,	Murdock Green,	133	5	5	131	13	8		—			—		22	11	9
Michael A. Rorke,	Kernan and Treacy,	103	7	4	583	8	5		—			—		41	14	6
Anne Jane Knox and Others,	Weldon S. Molony,	143	14	7	349	9	3		—			—		26	15	7
John Missett,	Thomas Croker,	64	19	4	Unoccupied.				—			—		10	2	9
Christopher Vero,	Henry P. Woodrooffe,	246	10	9	708	9	2	21	12	10		—		130	12	9
Lorenzo Henry Jephson,	Francis P. Tydd,	819	11	7	1,360	16	8	279	9	7		—		124	4	6
Edmond John Concannon and Another,	John Graham,	667	19	6	1,660	10	8	78	15	6		—		276	6	2
John C. R. Burke,	O'Flaherty and Dillon,	567	11	0	1,361	1	9	142	5	3		—		105	14	7
Arthur Crawford,	Thomas Young,	365	9	10	876	0	11	85	2	8		—		70	18	10
John Fallon,	William H. Walsh,	196	15	8	126	15	9	10	0	0		—		32	5	6
Assignee of Edward Robinson,	Garde and Atkinson,	644	9	1	449	3	0		—			—		186	1	0
Catherine Rossiter & Others,	George A. Labatt,	190	7	9	248	15	4	28	18	4		—		12	10	4
Edward Croghan,	William R. Meredith,	455	19	9	787	1	5	24	12	0	10	10	11	89	8	3
Peter Gale,	Martin and Cartan,	303	6	1	1,677	13	5		—			—		133	18	4
William Mansfield,	Samuel Bradshaw,	63	9	3	92	6	1		—			—		8	15	6
Henry Goold and Others,	Martin and Cartan,	252	17	2	204	16	9	25	15	3		—		86	18	10
John Bateman and Another,	Stokes and Creagh,	2,120	18	1	4,392	14	4	567	18	0		—		1,046	4	11

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.			Rental, as stated in Petition.			Amount allowed therein for expense of Surveys.			Like for expense of Valuations.			Like for expense of Advertisements and Printing.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
John Shee,	A. H. Middleton,	171	13	6	132	15	3		—			—		37	12	3
Anselm E. Taylor,	Matthew Kenny,	169	2	7	236	10	11	4	0	6		—		43	16	3
Assignee of Samuel Boyd,	Robert Wm. Green,	104	9	0	209	1	6		—			—		16	16	8
Edmond Byrne,	David A. Nagle,	215	13	2	409	16	5	10	0	0		—		66	19	3
Assignee of E. Crofton Kelly,	Henry P. Woodrooffe,	110	1	2	123	1	9	17	8	9		—		17	8	0
Assignee of E. M. Creed—— Meredith and Wife, Petitioners,	William R. Meredith,	247	5	5	137	16	3	13	10	0		—		60	8	2
Assignee of E. M. Creed—— Henry, Petitioner	Thomas Jameson,	315	4	11	780	19	3	1	16	9		—		57	9	9
Michael Kelly,	Simon Creagh,	51	2	6	34	15	6		—			—		15	11	10
James W. Fitzpatrick and Another,	George D. Fottrell,	165	6	11	54	14	0	5	0	0		—		26	17	0
Thomas James Wise,	Francis H. Tuckey,	82	14	5	84	12	0		—			—		17	13	6
De Courcy O'Grady,	Garde and Atkinson,	491	12	3	1,893	1	8		—			—		252	18	8
Devisees of Sir M. Disney,	Newman and Tandy,	379	19	3	3,074	8	0	87	2	3		—		105	8	5
Sir Richard Gethin,	Simpson and Lyle,	19	6	2	1,907	12	2	Costs up to time carriage transferred to another Solicitor.								
Assignee of James Maxwell,	John Bates,	119	1	6	286	19	4		—			—		14	10	2
George Sisson Wybrants,	George S. Wybrants,	116	10	1	90	10	0		—			—		19	1	6
William A. W. Kerr,	H. Wallace and Co.,	575	0	5	1,499	16	8	119	18	6		—		179	1	2
Earl of Portarlington,	Garde and Atkinson,	3,333	18	3	33,641	7	2	4	13	3	76	6	0	1,747	11	6
Henry Francis Ellis,	Purcell and Hartford,	150	5	2	208	3	0	4	0	0		—		37	9	0
Benjamin Hosford and Wife,	Thomas R. Evans,	244	11	2	558	19	2	12	18	6		—		33	11	0
Assignee of R. S. Crotty,	James P. Madden,	352	13	6	649	15	5	14	13	2		—		71	12	5
Assignee of Wm. Wetherall,	Michael Denvir,	97	13	6	65	10	0		—			—		24	1	11
Mathew Pennefather,	Avary Holmes,	919	4	2	2,082	9	7		—		40	18	4	410	11	9
Assignee of Henry M. Blake,	Arthur R. Symes,	686	10	2	614	11	2	45	13	4		—		292	17	8
Andrew English,	R. G. Durdin,	199	6	1	61	16	11		—			—		33	3	3
John Snow,	John Barnes,	192	15	1	522	1	0		—			—		40	19	0
Robert T. B. Hearne,	Robert Storey,	118	10	9	243	17	5		—			—		51	2	2
Jeremy Jones,	Thomas Mostyn,	167	14	3	430	16	10	39	4	4		—		35	0	6
Assignee of Mary M'Donald,	D. and T. Fitzgerald,	58	9	5	70	0	0		—			—		14	6	0
Mahala Burroughs,	Henry Falls,	226	0	11	675	15	4		—			—		50	0	2
John Bagwell,	Hallowes & Hamiltons,	247	18	10	219	10	2	20	14	2		—		71	0	11
Wynne Peyton,	Robert Jones Fox,	214	3	3	370	3	10		—			—		52	15	3
Geoffry Davies,	James D. Meldon,	463	12	2	355	3	0		—			—		185	19	3
William Stewart,	C. and J. S. Gaussen,	875	1	6	4,293	10	5		—			—		326	11	10
John W. Bayly,	Benjamin Bloomfield,	76	12	3	193	16	1		—			—		19	1	9
Charlotte Eccles,	Thomas Croker,	166	1	0	In owner's possession.			2	14	10		—		27	0	3
Assignee of Sir A. Chichester,	Henry Wrendfordsly,	1,103	6	0	2,213	16	0	145	2	7		—		431	9	10
Richard Parsons,	Octavius O'Brien,	235	13	11	929	14	4		—			—		58	8	0
James R. Eagar,	Edward Morphy,	66	0	5	300	0	0		—			—		3	5	6
Coote Mulloy,	Thomas Fitzgerald,	586	6	10	713	18	6	156	12	0		—		174	17	10
David Kerney,	Octavius O'Brien,	155	3	3	227	5	0		—			—		35	1	11
William Despard & Another,	C. and J. S. Gaussen,	195	3	2	313	0	11	8	4	6		—		24	12	4
William Ryves,	Garde and Atkinson,	530	16	9	1,970	5	11	109	12	2		—		99	18	0
Howell D. B. Davis and Another,	John H. Nunn,	327	19	6	684	2	9	3	4	3		—		85	18	0
James Hanna,	Newton & Armstrong,	91	11	1	201	4	6	5	18	4		—		20	5	9
Mathew O'Hea,	William A. Sherlock,	82	17	5	171	13	0		—			—		26	9	0
Honourable Thomas Ffrench,	M'Causland & Fetherston,	665	8	7	2,113	8	4		—			—		262	6	1
Henry Bunbury,	Alexander Bate,	116	8	1	732	19	5		—			—		25	6	3
Charles O'Brien Massy,	George F. Woodroof,	275	13	9	286	11	0		—			—		48	14	2
Thomas B. St. George,	M'Causland & Fetherston,	264	14	4	921	16	1		—			—		136	2	11
John Bollingbrook & Others,	Lambert and Crozier,	487	18	2	456	15	3		—			—		175	5	4
Francis Alton and Others,	George Dartnell,	290	8	0	752	12	11	11	8	4		—		97	3	0
Denis Egan and Others,	R. and G. L. Cathcart,	108	16	2	76	13	1		—			—		16	12	11
Assignee of Edward Barron,	Robert Casey,	91	17	1	40	0	0		—			—		16	9	3
Eliza Susan Walker,	Jeremiah Perry,	89	14	10	154	0	2	8	0	0		—		15	7	0
Eyre N. Sadleir and Others,	John Smith Abbott,	178	6	9	341	2	10	44	7	2		—		29	6	6
Hamilton N. Sandys,	Alfred H. Middleton,	92	7	8	288	0	8		—			—		18	3	3
Assignee of Richard Howard,	James D. Meldon,	72	17	5	39	10	0		—			—		14	8	9
Assignee of Mor. M. Byrne,	James D. Meldon,	107	0	8	179	0	0	4	4	0		—		34	2	1
Thomas Irwin,	Briscoe and Macneill,	145	14	5	134	13	9	12	12	3		—		24	1	0
John Talbot,	John Fawcett,	219	11	4	381	1	3	33	10	0		—		40	19	3
William B. Dwyer,	Carroll and Barry,	168	9	3	282	9	3	6	1	0		—		17	10	9
John Beahan and Another,	Daniel Lyons,	38	2	10	109	4	5		—			—		1	4	9
John Hyde,	S. S. and E. Reeves,	2,013	12	4	11,220	6	9	36	2	11	24	6	8	402	10	9
Edward Gillman,	James Lane,	236	7	0	386	10	8	11	15	0		—		61	4	6
Thomas Talbot,	John Fawcett,	217	10	10	301	3	1	28	7	0		—		31	18	6
Denis Clarke,	William T. Galway,	111	9	11	93	18	0		—			—		35	0	5
Richard B. T. Robinson,	Seymour and Webb,	113	2	10	140	0	0		—			—		22	2	6
Robert Gardiner,	William Dix & Son,	117	18	7	71	0	10	8	10	0		—		27	9	0
Assignee of Rev. J. K. Courtney,	John Tatlow,	132	13	7	268	10	7	3	0	8		—		38	4	10
Samuel Parker,	R. and G. L. Cathcart,	63	2	11	30	0	0		—			—		5	9	6
Henry White,	C. M. Magan,	93	10	1	205	11	2		—			—		18	7	6

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed. £ s. d.	Rental, as stated in Petition. £ s. d.	Amount allowed therein for expense of Surveys. £ s. d.	Like for expense of Valuations. £ s. d.	Like for expense of Advertisements and Printing. £ s. d.
Assignee of Thos. P. Roberts,	William Tuthill,	139 9 3	198 6 10	—	8 2 0	25 18 11
Michael Kavanagh,	Edward Carr,	96 2 0	58 0 0	1 18 0	—	16 6 3
Francis Massy,	Thomas Grier,	147 7 9	297 13 0	—	—	36 10 7
Devisees of William Fox,	Newton & Armstrong,	59 10 10	In owner's possession.	—	—	7 15 3
Mary A. Mitchell & Another,	Richard S. Walker,	181 11 3	259 12 0	—	—	30 18 7
Charles Tottenham,	Henry P. Woodroofe,	138 9 6	421 15 8	—	—	48 2 6
John Greany,	Thomas M. Lyster,	61 3 9	19 0 0	—	—	10 12 4
Thomas Bolger,	John Lord,	234 10 11	394 5 10	—	—	46 10 9
Thomas Towers,	John Smith Abbott,	778 10 3	1,036 4 8	44 5 4	16 14 4	449 5 2
Assignee of Rd. Marjoribanks,	Dwyer and Lalor,	101 11 10	121 19 2	—	—	30 18 0
Daniel Connor,	Garde and Atkinson,	788 13 7	3,830 0 0	19 0 0	—	432 12 6
Assignee of John Mullins,	William Joyce,	101 4 6	30 10 0	3 3 0	—	24 2 0
Catherine Finn,	Murdock Green,	102 0 9	65 0 0	—	—	20 5 0
A. White and Another,	C. M. Magan,	139 2 1	64 12 3	—	—	53 12 6
John Minford,	Edward Malone,	56 6 9	In owner's hands.	—	—	8 11 8
Margaret Vance & Another,	Thomas Walsh,	163 11 4	69 13 4	—	—	57 5 1
Ellen Coleman and Others,	Patrick James Byrne,	109 13 0	126 5 0	—	—	11 13 6
Rev. William Minchin,	John Fawcett,	1,340 15 5	1,397 17 2	—	71 5 6	583 2 6
Ernest De Tocqueville,	R. & W. Copinger,	182 6 5	572 13 9	5 0 0	—	25 6 6
Eliza J. Lloyd and Another,	Thomas P. Reed,	188 15 2	191 16 10	30 1 2	—	9 10 0
John Pepper Belton,	Joseph Booth,	150 2 10	397 19 8	6 5 8	—	25 4 6
Bentinck W. Doyle,	Henry Watson,	179 0 2	374 18 5	44 16 3	—	24 14 3
Sarah E. M'Dermott,	Tisdall and Johns,	311 2 6	423 3 8	—	—	23 0 6
Mary Eliza Rorke,	Thaddeus Callaghan,	127 15 6	209 2 6	—	—	14 0 6
John P. Lamphier,	John Vincent,	213 1 11	256 4 3	23 1 6	—	32 15 3
Mary Jane Fitzpatrick.	Edward Corcoran,	234 4 10	1,387 16 1	14 5 7	—	40 18 3
Dame A. M. Hesketh & Others,	Edward John Smyth,	348 11 6	2,922 9 8	—	—	139 18 6
Rev. E. Riley and Another,	Mecredy and Co.,	326 0 11	432 8 10	14 14 9	—	117 9 8
Count Nugent,	Mecredy and Co.,	333 16 8	688 14 2	18 15 0	—	167 1 0
Francis Armstrong,	John Smith,	247 5 5	566 12 7	12 0 0	—	86 12 3
Assignee of Henry Joyce,	Thomas Young,	167 13 11	280 19 3	—	—	93 10 4
John Daniel,	Charles Woodward,	106 7 0	347 8 0	—	—	18 16 6
Brian Roddy,	William R. Rogers,	54 11 9	27 17 3	—	—	9 2 6
Thomas White,	Richard Stack,	112 3 7	45 15 11	—	—	20 12 9
William Young,	Robert Murdock,	175 1 2	195 12 11	16 12 6	—	32 14 6
Rachael Atkin,	Laurence W. Corcoran,	101 7 2	68 17 10	—	—	23 0 3
John N. Lysaght & Another,	Edward Farmer,	246 10 5	317 8 11	—	—	39 17 10
Charles C. Ryan & Another,	Thomas Young,	247 9 8	156 8 0	—	—	63 12 6
William Fivey,	Peebles and Sheil,	902 0 5	2,409 3 11	29 14 6	—	389 11 0
Rev. R. C. Langford,	Samuel F. Adair,	192 10 5	256 4 3	62 10 2	—	26 13 6
William Walsh,	William Caldwell,	138 19 6	508 14 7	14 12 6	—	30 6 5
Henry Parker and Others,	Murdock Green,	309 16 0	1,641 10 6	—	—	76 8 0
John Cleary,	A. Geran,	141 8 0	745 5 3	—	—	35 19 9
Martin Darcy,	R. & G. L. Cathcart,	521 0 6	1,916 0 7	—	—	173 11 10
Rev. Edw. Herbert & Others,	James Lane,	113 18 8	418 15 2	28 11 6	—	6 0 0
Denis O'Callaghan,	E. O'Connor,	98 12 3	192 12 4	—	—	11 18 3
Edward Turner,	Edward Courtenay,	693 5 0	970 2 3	58 14 2	6 4 10	138 6 10
John Macartney,	George Armstrong,	265 14 10	246 0 2	34 7 8	—	64 17 6
Ulick Jennings,	James D. Meldon,	146 10 10	152 19 0	10 10 0	—	48 2 3
Thomas Hackett,	Duckett and Gordon,	208 6 5	247 7 2	—	—	41 7 9
Assignee of James H. Roche,	Beamish & Armstrong,	158 18 6	401 12 6	3 13 6	—	53 16 6
John Baker,	James Cowley,	204 16 9	370 19 0	28 5 5	—	56 10 9
James Holmes and Another,	John Maturin,	98 18 3	29 12 6	—	—	21 8 0
Alex. N. King and Others,	William M. M'Cay,	364 19 9	1,259 13 4	14 10 0	—	198 13 3
Assignee of Thos. Fitzpatrick,	John Ryan,	128 14 8	123 6 11	—	—	24 8 0
Frederick Jackson,	Robert Murdock,	296 7 8	980 5 9	4 9 0	—	74 5 1
Rev. D. Stuart and Another,	Wm. Neilson and Son,	73 0 1	45 19 6	—	—	17 2 3
Richard Jennings,	James Hynes,	357 16 0	327 0 6	38 8 6	—	128 2 4
Rev. E. G. Armstrong,	Thomas Boyd,	161 18 10	75 14 8	5 6 10	—	26 2 9
Denis Daly,	Edward Piers,	133 6 2	1,445 10 0	—	15 0 0	67 3 9
Daniel O'C. Phelan,	F. Hamilton,	157 3 8	44 6 0	—	—	24 13 3
Rev. S. W. Fox,	Ralph B. Brunker,	196 12 3	408 17 10	—	—	44 4 6
Michael Williams,	James D. Meldon,	127 5 4	60 18 6	—	—	19 14 0
Francis Lally,	O'Flaherty & Dillon,	111 5 2	4 19 3	—	—	12 0 6
Christopher W. Hemsworth,	John Julian,	99 6 8	Part in owner's hands. 87 16 10	4 19 6	—	4 5 3
James and T. E. Barry,	Henry Bastable,	54 8 7	41 16 1	—	—	2 17 3
Elizabeth Fury and Others,	Henry Falls,	158 14 3	Part in owner's hands. 142 2 0	4 0 0	—	35 18 6
Sir Richard B. St. George,	Irvine and Reid,	1,417 6 7	860 5 4	401 17 8	—	304 14 9
Earl of Belmore,	John Stewart,	4,625 16 8	14,884 7 2	—	—	2,840 6 6
William Hamilton Smith,	Hugh Wallace & Co.,	630 4 6	876 10 0	93 5 6	—	264 9 5
William E. H. Allen,	James W. Doherty,	118 0 6	89 4 0	4 0 0	—	30 6 1
Thomas Smith and Wife,	Thomas M. Archer,	122 19 10	186 19 6	—	—	32 13 3
Assignee of Sir J. J. Fitzgerald,	Dwyer and Lalor,	225 5 6	339 3 7	13 12 7	—	66 16 0
Assignee of Rev. G. Warner,	Robert Murdock,	165 0 11	1,134 2 1	3 8 9	—	30 15 8
Thomas R. Needham,	John Murray,	122 2 7	Not stated.	—	—	41 0 6
James Hickson,	Stokes and Creagh,	518 12 11	192 11 3	108 10 1	—	99 6 0
Patrick Savage,	Terence O'Reilly,	74 6 11	138 5 0	—	—	9 15 9

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed. £ s. d.	Rental, as stated in Petition. £ s. d.	Amount allowed therein for expense of Surveys. £ s. d.	Like for expense of Valuations. £ s. d.	Like for expense of Advertisements and Printing. £ s. d.
Elizabeth Drew and Others,	William M'Grath,	175 8 4	673 2 1	—	—	26 3 3
Letitia J. Hickman,	William Tuthill,	1,138 19 4	3,241 15 10	93 18 6	—	291 0 3
Thomas C. G. Hamilton,	Hallowes & Hamilton,	151 18 11	491 12 1	—	—	36 12 8
Assignee of H. Lawler,	W. A. Sherlock,	116 7 7	122 19 4	—	—	27 7 7
Francis Dwyer,	Geale and Dwyer,	105 12 11	169 1 4	—	—	17 6 6
Eliza Nixon,	Tighe and Mecredy,	190 18 6	381 15 6	7 12 2	—	53 12 1
Trustees of Daniel Kelly,	Roper and Lloyd,	487 1 3	3,251 7 2	—	15 0 0	217 5 10
Trustees of J. Chamley,	Chomley and Browne,	125 8 2	370 9 4	—	—	27 16 6
Barker Thacker,	Archibald Robinson,	184 4 0	403 19 11	—	—	23 11 8
Elizabeth M'Morry & Others,	Thomas Croker,	130 18 11	21 16 0	—	—	14 12 0
Henry Langley,	Newman and Tandy,	200 12 7	425 3 10	7 9 0	—	76 7 9
John M'Donnell and Others,	H. and T. Garrett,	73 0 9	453 17 9	—	—	20 1 9
George V. Maguinness and Others,	Lucas Waring,	412 18 1	379 2 5	14 6 0	—	91 3 9
John Drought and Wife,	George S. Wybrants,	155 5 7	37 9 4	—	—	14 4 6
Joseph H. Barker & Another,	George S. Wybrants,	195 5 10	56 17 9	—	—	22 6 5
John H. Keogh,	John Bagnall,	389 15 2	755 6 3	14 19 1	—	154 1 10
Jerome Tisdall,	William M. Moore,	314 6 9	1,280 11 11	—	—	126 9 9
Richard B. Osborne,	Mortimer and Taylor,	206 8 9	828 4 9	—	—	40 4 0
John Massy Stacpoole,	Cullinan and Bunton,	173 15 10	174 3 9	—	—	42 15 6
William Boyle,	Jonas Lander,	145 13 2	134 12 8	5 0 10	—	33 3 0
James Willington,	R. and J. Maunsell,	298 5 5	653 4 6	—	—	62 8 9
George Bevan Lukey,	William T. Sherlock,	246 4 4	324 8 9	3 0 0	—	74 10 3
John Curtis,	John Smith,	144 7 5	234 8 0	—	—	56 17 0
Edward Blake,	Wm. Dix and Son,	607 7 7	1,053 14 6	178 9 1	—	117 1 6
Edward C. Knox,	Mecredy and Co.,	200 6 8	374 17 9	6 10 0	—	72 3 3
G. H. Hughes and Another,	William Hitchcock,	136 0 11	224 6 0	—	—	19 15 6
Assignee of Daniel Phelan,	F. Hamilton,	184 10 3	76 0 0	—	—	29 16 0
Margaret Fowler,	James Malley,	84 12 3	117 4 0	—	—	17 12 6
Mary Anne Delap,	Robert J. Fox,	251 10 1	1,151 9 1	41 1 6	—	2 10 0
Charlotte M. M. Macan,	John Hall,	518 5 1	893 12 4	10 19 11	—	112 2 7
John Bennett and Another,	William Magrath,	464 3 0	286 0 0	106 2 0	—	87 11 6
Sir Samuel O'Malley,	Crozier and Son,	275 7 8	2,601 15 4	168 15 2	—	—
David Robert Ross,	Hugh Wallace & Co.,	1,222 7 1	2,648 3 4	218 0 0	115 9 6	392 14 7
David Blair,	James Andrews,	117 5 10	1 14 3 In possession of owner.	—	—	13 5 9
Thomas Howley,	Martin Coogan,	202 2 1	358 4 8	—	—	34 8 0
Sir Andrew Armstrong,	Hugh and J. Swanzy,	374 1 3	1,533 11 8	73 19 3	—	57 9 3
Edmond J. Nolan & Another,	Robert Power,	413 16 2	612 4 6	54 8 6	—	110 9 7
John Prendergast,	Henry Edwards,	372 13 0	221 1 4 Ordnance Valuation in possession of owner.	8 10 0	—	49 4 1
Thaddeus O'Dowda,	John Fawcett,	209 5 3	115 7 8	3 3 0	—	51 19 3
Alice Lambert Moore,	L. Waring,	95 13 11	68 0 7	—	—	10 19 4
Gerrard Irvine,	Joseph Booth,	107 9 6	320 8 10	—	—	21 1 0
Elinor White,	Thomas Young,	272 0 6	382 3 9	—	—	76 10 3
W. P. L. Hickie & Another,	Parker and Large,	85 13 3	205 0 0	—	—	23 14 6
Septimus Arabin,	Robert Butler,	249 2 10	633 15 5	30 6 8	—	81 15 7
Francis Reed and Others,	Thomas P. Reed,	105 17 8	62 18 6	—	—	16 9 0
Trustees of Rev. W. Grattan,	John Faris,	142 19 7	676 8 9	28 7 4	—	13 7 0
Trustees of E. R. Cottingham,	John Hall,	228 13 3	554 15 6	3 0 0	—	60 2 6
William Henry Harte,	Arthur B. Todd,	165 0 11	619 5 9	8 14 4	—	46 2 0
Robert Atkinson,	Robert P. Bourke,	70 13 2	64 3 8	—	—	3 5 9
Thomas Marston & Another,	Robert R. Todd & Co.	223 13 6	84 4 0	22 8 0	—	26 4 11
Dudley Oliver,	R. A. Disney,	63 10 0	123 4 5	18 11 2	—	2 13 6
Thomas M Scully,	Laurence Mooney,	139 15 1	100 0 0	—	—	44 15 9
Trustees of Joseph Vize,	Lynn Carew,	267 17 4	213 6 0	8 13 0	1 9 7	55 5 2
Patrick Reilly,	Henry Battersby,	105 12 11	101 11 2	7 14 0	—	16 15 2
Richard Mangan,	John B. Mulhall,	250 13 9	158 3 10	33 9 0	—	72 8 0
Lord Audley,	Barrington, Son, and Jeffers,	1,239 15 8	630 0 0	156 4 9	—	75 0 0
Robert Bickford,	Garde and Atkinson,	264 12 7	205 11 1	11 7 4	—	58 14 6
Hibbert Newton,	R. A. Walker,	57 10 10	21 12 4	—	—	14 9 3
William Collis,	Stokes and Creagh,	193 4 5	167 2 3	45 17 1	—	48 9 9
Thomas Palmer,	John Vincent,	287 8 6	495 6 8	45 16 4	—	84 5 0
William Reed,	Robert R. Todd & Co.,	238 14 8	79 8 10	—	—	80 11 6
Wm. J. Thompson & Others,	Michael Denvir,	152 18 11	56 4 3	—	—	23 15 6
Orr Carlisle,	H. C. Stephens,	142 15 2	96 0 0	—	—	22 12 9
Thaddeus Callaghan & Others,	John Maturin,	117 5 5	214 10 5	—	—	25 6 6
George Thomas De Massy,	Michael John Ruttle,	681 7 6	403 17 9	130 13 3	—	212 3 2
Assignee of John Stevenson,	H. J. and T. Garrett,	249 8 1	929 8 9	—	—	72 4 7
George M. Knipe,	William Neilson & Son,	301 6 9	676 11 11	19 13 4	—	49 13 5
James Porter,	Orr R. Gamble,	97 14 11	In possession of owner.	4 10 0	—	13 9 3
Thomas Power,	William M'Dermott,	198 4 6	892 7 5	15 15 3	—	58 16 4
Assignee of John Derepas,	Thomas Croker,	172 1 0	72 13 10	—	3 8 3	53 10 3
Assignee of Thomas P. Lloyd,	Samuel F. Adair,	285 15 10	1,052 17 9	—	—	134 5 8
Edward D. Freeman,	Henry Baggs,	743 15 2	925 12 7 Not including mansion-house and demesne.	—	—	328 8 8
Assignee of Joseph F. Hopkins,	Wm. Neilson and Son,	130 10 10	168 16 4	—	—	31 15 1

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.	Rental, as stated in Petition.	Amount allowed therein for expense of Surveys.	Like for expense of Valuations.	Like for expense of Advertisements and Printing.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
W. J. T. Galbraith,	Robert Jones Fox,	315 16 8	531 12 9	—	44 18 3	106 13 7
Sir Richard A. O'Donnell,	Furlong and Latouche,	954 17 8	5,497 18 10	—	—	212 19 9
Frederick Bevan,	William Hitchcock,	115 14 3	124 18 7	—	—	4 9 6
Grice Richard Smyth,	Charles Maunsell,	329 16 3	635 15 4	106 7 1	—	53 10 9
Anthony B. St. Leger,	George F. Woodroof,	796 6 1	858 14 3	136 3 9	19 17 8	167 8 5
George Macklin,	David Mahony,	371 15 11	478 1 10	113 18 9	—	41 16 6
Robert W. Studdert,	William H. M'Grath,	347 1 7	614 12 7	—	—	119 12 3
Hubert B. Moore,	Joseph H. Cowan,	171 5 6	162 0 4 Part in owner's hands.	16 5 6	—	75 13 0
Henry Currie and Others,	L. Dobbin and Co.,	406 8 1	1,321 5 11	37 1 4	—	144 4 4
Owen Edward Blake,	Galway and Lamb,	292 15 9	1,183 15 10	68 14 8	—	109 16 8
A. W. C. Hamilton,	Ralph Scott,	485 15 9	7,086 13 6	—	—	106 17 5
John A. O'Neill,	Lewis and Howe,	1,138 3 2	2,377 8 10	116 7 2	—	478 18 9
James Foott,	Henry Flood,	390 4 0	934 10 11	—	—	120 0 0
Patrick Gill,	Mecredy and Co.,	121 13 3	27 12 11	3 3 0	—	26 9 6
Assignee of James Nugent,	James D. Meldon,	119 7 6	280 9 5	—	—	40 4 4
Robert R. Fisher,	Robert W. Greer,	222 1 7	427 3 8	10 18 3	—	44 12 9
Robert Harrington,	John Bennett,	230 13 1	611 9 8	7 0 0	—	94 11 11
William Phibbs,	Mecredy and Co.,	277 3 10	261 18 5	8 7 0	—	65 3 6
Joseph Bennett,	Thomas K. Sullivan,	182 8 4	280 11 8	20 10 0	—	49 18 0
Thomas Robinson,	MacDougall and Co.,	106 0 10	285 2 0	—	—	19 17 9
William Knox Orme,	M'Causland & Fetherston,	186 5 1	374 5 8	—	—	20 19 0
Richard W. Lalor,	William White,	124 4 7	281 16 7	—	—	33 18 9
Thomas Smith,	William Neilson & Son,	130 17 6	183 0 0	22 0 9	—	15 2 6
Thomas F. Gerrard,	Tighe and Mecredy,	146 5 8	392 11 2	—	—	40 6 7
Isaac Stoney,	Lucas Waring,	68 15 8	181 17 0	—	—	13 16 2
Assignee of Wm. Kirkwood,	C. and J. S. Gaussen,	280 6 10	213 8 9	5 19 6	0 10 6	73 12 3
George C. Stawell,	John Orpin,	256 12 3	654 9 8	—	12 0 0	72 10 3
Robert Whaley,	Barrington, Son, and Jeffers,	1,449 14 0	3,609 0 2	—	—	817 3 3
Joseph North,	Smith and Whitestone,	88 17 4	591 0 0	16 13 10	—	16 18 6
Robert Delacour and Others,	Henry Bastable,	338 5 2	837 14 4	20 2 7	—	99 7 6
George Irwin and Another,	Henry A. Dillon,	100 1 6	57 5 0	—	—	38 4 6
Robert Fivey and Others,	Simpson and Lyle,	218 12 9	681 1 10	9 0 6	—	94 16 10
Ralph S. Smith,	Leonard Morrogh,	407 15 5	602 7 8	78 2 3	—	87 1 3
Rev. Robert W. Gibbs,	James Lane,	109 12 1	557 10 5	—	—	1 11 0
Francis K. Egan,	Daniel Lyons,	190 0 4	70 0 0	—	—	42 17 2
Mathias Smith,	Garde and Atkinson,	405 2 6	174 3 9	22 19 9	—	124 6 9
Thomas Scott and Others,	Mecredy and Co.,	573 17 10	1,170 3 10	26 0 0	—	270 7 9
Assignee George Boate,	Robert Maxwell,	279 4 11	716 8 11	148 8 0	—	148 8 0
Henry Vance,	John Ferguson,	188 0 2	60 6 8	—	—	21 18 4
Nicholas Dunscombe,	F. H. Tuckey,	85 9 3	205 0 0	—	—	10 4 6
Martin Tucker,	James T. Lyons,	145 2 3	448 7 7	11 5 4	—	25 13 0
Richard Bolton Neynoe,	Thaddeus Callaghan,	497 18 9	504 10 6	38 9 0	42 16 4	155 6 9
Rev. Thomas B. Brady,	Beamish & Armstrong,	545 18 2	480 0 0	119 7 0	—	179 10 6
Amoz P. T. H. Doolan,	John Julian,	138 2 8	Unlet.	5 0 0	—	31 15 6
Daniel Todd,	John Fyffe,	140 10 4	119 8 0	12 17 7	—	14 1 9
Belinda Livingston,	Mecredy and Co.,	302 2 7	271 6 11	10 5 0	—	71 19 6
Pierce O'Donnell and Others,	Edward Corcoran,	461 0 7	308 8 1	56 14 4	—	118 15 6
John Anthony Hogan,	Battersby and Carroll,	171 5 9	116 1 0	—	—	13 10 3
Archibald Houston,	William Simpson,	139 11 9	44 1 10	—	—	20 15 7
John M'Comb,	John D. Vanston,	236 14 6	79 9 10	5 4 0	—	24 3 0
Trustees of V. D. Hunt,	Michael Larkin,	441 15 10	1,047 15 6	31 18 3	—	163 11 6
Lord Carrick,	Hallowes & Hamiltons,	1,049 18 8	816 3 9	137 10 0	—	615 10 0
Assignee of Martin Sheridan,	James D. Meldon,	155 11 0	100 13 0	5 5 0	—	28 11 6
Earl of Shannon,	Murdock Green,	2,260 1 2	6,995 4 3	221 3 6	132 17 7	942 9 3
Anthony Raymond,	Stokes and Creagh,	1,018 4 4	1,173 3 3	269 16 7	—	467 17 3
Rowland Kerr,	John Dinnen,	49 3 4	39 15 0	—	—	8 16 9
James Somerville,	James D. Meldon,	249 15 9	705 13 6	13 6 10	—	59 1 0
Rev. Amb. Smith & Another,	Edwin Sanderson,	504 5 0	209 0 4	57 11 9	—	56 10 9
James M. Barry,	David Hall,	208 19 7	244 9 8	8 10 0	5 9 5	47 13 6
Anthony C. French,	Anthony F. French,	152 11 11	185 18 4	4 0 0	—	15 0 6
Trustees of Sir Geo. Goold,	Leonard Morrogh,	1,622 7 5	3,961 11 9	—	—	959 10 9
John Netterville Blake,	William Roche,	147 8 11	57 16 1	2 12 6	—	29 19 6
John Burkitt,	Robert Burkitt,	161 2 7	168 10 0	—	—	19 8 6
George Crowe and Another,	Vesey Daly,	336 12 11	446 18 2	16 16 8	—	114 0 9
John G. E. M'Leod,	Samuel L. Crawford,	92 19 9	95 19 9	—	—	14 4 0
Thos. O'Connor and Another,	W. and R. Neligan,	266 14 3	216 9 10	15 0 0	—	64 6 3
Edmund John Armstrong,	Aquilla M'Mahon,	97 12 10	301 11 7	—	—	3 5 9
Assignee of R. H. Cox,	Arthur B. Todd,	183 0 7	160 5 1	14 10 0	—	39 2 10
Mary Steele,	George Twibill,	128 0 1	249 4 9	—	—	21 2 0
Richard Becher Orpin,	John Orpin,	285 3 2	757 3 2	—	—	74 0 9
Samuel Jacob,	Samuel F. Adair,	180 16 5	706 7 1	—	—	87 1 6
Lord Baron Oranmore—Rev. J. G. Browne, Petitioner,	James M'Fadden,	335 6 9	441 15 8	19 18 9	7 15 4	136 17 7
Lord Baron Oranmore—Mary Anne Browne, Petitioner,	James M'Fadden,	332 11 0	405 10 8	24 18 0	9 11 2	142 13 11
Lord Baron Oranmore—Georgina D. Browne, Petitioner	James M'Fadden,	401 12 3	468 10 11	15 1 3	5 0 0	148 5 3

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.			Rental, as stated in Petition.			Amount allowed therein for expense of Surveys.			Like for expense of Valuations.			Like for expense of Advertisements and Printing.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Robert G. K. M'Kenna,	Andrews and Smith,	97	0	7	55	15	4	1	10	0	—			12	11	7
Robert Stratford,	James D. Meldon,	304	9	2	280	10	8	8	4	2	—			78	10	4
Thomas Walsh,	William J. Dennehy,	233	2	9	1,691	4	10	—			—			89	1	0
Assignee of John Morris,	Thomas P. Reed,	59	4	6	760	10	10	—			—			11	4	3
Lord Viscount Gort—Katherine Blackwood, Petitioner,	Charles Woodward,	278	10	2	62	15	3	11	14	10	—			50	13	9
					Part in owner's hands.											
Earl of Fitzwilliam,	R. and J. Maunsell,	351	13	4	1,883	2	10	—			—			166	13	3
Thomas Berry,	John Collum,	130	4	4	173	8	0	28	5	3	—			28	19	0
Assignee of Richard Phillips and Another,	Thomas Ardill,	153	3	0	59	4	8	—			—			43	11	3
Theobald Burke,	James Campbell,	176	18	4	204	0	0	9	11	0	—			31	11	9
Executors of Matthew Wright,	William R. Rogers,	74	11	1	70	0	0	—			—			11	11	3
Robert M'Cleland & Others,	Samuel L. Frazer,	128	4	11	49	15	5	—			—			21	13	11
John B. Horgan and Others,	Thos. & G. Carmichael,	81	1	3	51	2	2	—			—			20	3	3
Nicholas Darcy,	Hallowes & Hamiltons,	538	8	2	316	16	6	22	0	3	—			198	10	5
Charlotte W. Perceval,	John Vincent,	266	8	5	363	16	11	5	0	0	—			78	8	6
Thomas H. Kenny,	C. & J. S. Gaussen,	125	3	10	335	11	9	9	0	0	—			31	3	3
William Robinson,	Hugh Irwin,	135	5	8	236	8	6	—			—			47	1	5
Thomas Whelan,	Graves S. Warren,	293	1	1	566	5	3	12	5	6	—			105	7	9
Burton Bindon,	Aquilla M'Mahon,	339	12	9	662	6	6	26	5	0	—			168	11	9
Patrick Hosey,	Barnaby Scott,	102	13	1	63	5	6	—			—			23	13	0
Maurice O'Connell,	Patrick Maxwell,	34	0	4	198	6	11	—			—			1	4	9
Executor of Lord FitzGerald,	John Vincent,	577	5	4	1,049	9	0	96	7	5	—			226	13	9
Anne Percy and Others,	Thomas Croker,	337	17	3	192	1	10	83	2	3	—			4	13	0
Valerio Count Magawly,	William Gibson,	240	10	8	599	9	5	40	7	4	—			69	16	9
Anne French,	Robert Arthur,	211	6	11	407	2	11	—			—			42	0	1
George L. Marshall,	A. R. Symes,	301	2	9	432	9	4	50	15	2	—			97	18	0
Robert Shearman,	Alfred H. Middleton,	97	0	7	11	3	10	—			—			12	11	6
Cairncross Thomas Cullen,	Leonard Dobbin & Co.,	672	16	4	779	14	1	168	6	10	—			150	14	4
Michael Murray and Others,	Patrick J. Byrne,	81	14	4	29	15	4	—			—			14	17	3
Assignee of Richard Smith,	John Rose Byrne,	172	19	4	318	0	4	—			—			33	0	6
John James Willington,	John Ball,	303	6	10	2,040	14	3	110	3	6	—			110	16	6
John Dennehy,	William A. Sherlock,	92	10	1	103	3	0	—			—			21	1	9
Mary Steele,	Robert Murdock,	47	16	7	36	18	5	—			—			14	12	3
William Coppinger,	R. W. Coppinger,	288	16	2	1,445	1	7	—			—			56	4	0
Thomas G. Wallis & Another,	E. Hughes,	132	5	10	193	19	3	8	0	0	—			30	7	3
Francis E. Holmes,	John Smyth,	655	7	7	1,495	10	4	179	8	10	—			158	4	6
Trustee of Daniel Barrington,	Barrington, Son, and Jeffers,	538	13	0	875	7	1	14	14	6	—			70	19	4
Richard Fleming,	John B. Mulhall,	221	0	3	137	19	2	64	8	8	—			26	8	7
Assignee of Thos. Chandler,	Robert Conry,	95	3	3	227	0	0	—			—			36	0	9
Gilbert Conry,	John Maturin,	436	18	11	975	11	0	90	0	0	—			124	3	3
Geoffry Davies,	James D. Meldon,	240	2	4	779	16	6	—			—			96	0	0
Henry Montfort,	Thomas E. Henry,	200	11	9	712	18	7	28	16	1	—			53	6	0
Stephen O'Meagher,	R. and W. Coppinger,	426	7	2	676	8	6	19	15	0	—			119	14	3
Frances C. Reade,	Thomas E. Wright,	120	11	5	200	0	0	3	16	6	—			11	5	6
Assignee of George Cornwall,	R. T. Harvey,	181	1	5	348	10	6	10	2	6	—			54	4	11
Peter Bourke,	Campbell & O'Donnell,	113	1	11	120	0	0	4	4	8	—			20	18	6
John Smith,	Lambert and Crozier,	52	4	1	49	2	10	—			—			9	17	3
Trustees of H. P. Lestrange,	John Vincent,	1,164	19	0	3,178	7	1	166	9	10	—			532	9	10
Henry M. F. Goold,	Barrington, Son, and Jeffers,	1,024	2	11	2,343	10	10	177	4	4	—			332	18	9
Christopher St. George,	Robert Power,	926	15	9	9,417	14	9	—			—			393	3	3
James and William Roche,	Orpen and Co.,	199	15	5	394	9	11	14	5	5	—			54	15	3
Charles Rutland,	Robert Butler,	231	4	2	392	18	4	—			—			78	8	9
Earl of Glengall,	Robert Murdock,	6,361	17	0	18,751	16	6	3,286	14	8	—			1,887	10	3
Mary Boyle and Others,	Michael Denvir,	97	9	10	16	15	9	—			—			15	3	5
Edward W. Newenham,	Samuel S. & E. Reeves,	735	4	7	1,673	13	3	—			—			271	18	6
Robert Corbett and Another,	Simon Creagh,	138	16	0	82	16	6	—			—			29	14	5
Joseph F. Cotterell,	Jeremiah Mara,	270	2	9	107	18	0	4	4	0	—			50	7	9
Richard Massy Yielding,	Delmege & Ferguson,	279	18	7	268	12	0	54	1	0	—			55	17	0
Charlotte Symes,	Henry P. Woodroofe,	53	9	10	281	16	0	—			—			21	4	8
William Charles Jones,	Briscoe and Macneill,	307	4	2	586	5	6	—			—			110	1	0
William B. Hornibrook,	James Lane,	116	17	7	96	6	6	—			—			30	18	4
John Gillman,	James Lane,	53	3	5	55	7	8	—			—			11	0	3
Robert U. P. Fitzgerald,	William C. Bennett,	354	2	5	1,025	10	8	—			23	7	0	106	6	11
Assignee of Richard Turner,	G. R. Wade,	76	12	6	77	7	8	—			—			22	2	6
Anne Galwey,	Foley and O'Sullivan,	68	3	8	198	14	6	—			—			16	6	9
Assignee of William G. Percy,	John Faris,	80	15	3	115	4	9	3	10	0	—			14	16	9
George Brassington & Others,	Henry Oldham,	104	8	3	50	8	0	—			—			22	13	6
Joseph Taylor,	James Barrett,	207	12	0	343	9	3	—			—			87	1	6
Joseph Marshall,	Richard O. Armstrong,	169	8	11	367	7	9	8	10	0	—			35	17	0
Christopher Antisell,	R. G. Durdin,	113	2	8	184	0	0	—			—			20	6	5
Maria Smith,	Edwin Sanderson,	96	18	0	113	16	11	—			—			—		
Robert Gardiner,	Isidore Burke,	259	3	4	71	0	10	7	5	8	—			67	7	4
Rev. F. Cavendish,	R. O. Armstrong,	198	6	10	574	16	1	19	13	10	—			71	11	6
Thomas H. F. Royse,	Read and Crawford,	626	15	7	1,375	16	10	188	11	3	—			200	4	0
John Knox and Others,	John and Charles Ball,	3,518	6	5	8,105	4	2	1,589	13	8	—			417	11	9
Eliza Moore and Others,	John Ferguson,	184	7	2	336	0	0	22	13	4	—			45	15	4
Assignee of Edw. E. Knight,	N. D. Murphy,	115	13	0	92	13	2	4	0	0	—			24	7	6

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.	Rental, as stated in Petition.	Amount allowed therein for expense of Surveys.	Like for expense of Valuations.	Like for expense of Advertisements and Printing.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Rev. Charles Osborne,	Arthur Ellis,	195 6 2	549 12 6	10 0 0	4 0 0	47 19 0
Assignee of William Walker,	John Fleming,	86 7 2	171 2 1	—	—	16 16 0
Henry Smyth,	Sadleir and Co.,	102 3 6	1,770 10 9	—	—	27 7 3
Henry Moore,	Leonard Morrogh,	322 1 6	1,598 18 8	37 2 6	—	71 3 3
John Poe,	William Magrath,	337 9 2	489 4 4	23 7 1	—	114 4 0
Robert Porter,	William R. Elliott,	84 12 6	121 2 0	—	—	8 13 0
James Hammond,	William Roche,	436 14 7	775 7 4	29 19 6	—	175 1 6
John Betty and Others,	John M. Williamson,	137 14 11	Unlet.	3 5 0	—	39 14 9
Assignee of D. Leonard and Another,	Samuel P. Lindsay,	197 2 2	113 15 9	15 18 6	—	46 15 3
Paulina Mansfield,	Richard O'Donnell,	366 11 10	746 0 11	15 0 0	—	105 15 9
Alexander Nixon,	William A. Dane,	424 17 9	455 2 11	—	—	164 4 11
Richard Clarke,	William Roche,	216 17 6	218 17 11	42 15 0	—	27 7 3
James Kelly,	James T. Lyons,	100 18 9	44 14 7	3 2 0	—	13 14 9
Sarsfield Colclough & Others,	Charles F. Brabazon,	295 9 0	823 19 11	40 0 0	—	72 13 6
James Molony and Others,	William H. M'Grath,	204 17 4	205 16 0	23 10 4	—	45 9 5
John Mathew,	Joseph Hanly,	109 2 11	151 1 3	1 0 0	—	36 17 0
Richard Smith,	John Smyth,	73 6 9	343 10 0	—	—	38 8 6
Hercules Ellis & Another,	Knox, Son, and Crookshank,	304 11 7	228 5 9	9 6 0	—	44 16 0
Jane M'Creight,	A. W. M'Creight,	327 15 9	285 1 7	6 16 8	—	109 0 3
Robert Lidwell,	White and Fry,	251 1 5	1,064 6 0	8 7 6	—	41 0 6
Alexander Burrowes,	Murdock Green,	146 5 2	305 6 4	—	—	59 2 11
Thomas Boyse,	Newman and Tandy,	115 10 11	115 10 6	14 12 4	—	21 15 9
Thomas Robinson,	Murdock Green,	97 0 11	20 5 1	—	—	25 2 3
Thomas Paget & Another,	Richard D. Kane,	295 10 5	182 11 11	120 0 0	—	74 7 9
Lord Viscount Gort—John Vincent, Petitioner,	John Vincent,	160 13 6	85 2 7	—	—	21 18 3
Arthur Henry Irvine,	Archibald Collum,	215 8 9	242 1 5	20 11 9	—	32 3 9
George Hassard,	John Collum,	512 10 9	1,438 3 0	121 2 0	25 0 0	123 17 3
Francis Hassard,	John Collum,	256 8 5	628 1 0	36 8 9	—	55 17 9
Grace Cottnam,	Alexander Dudgeon,	295 6 1	320 15 4	7 9 0	5 0 0	104 7 3
Wm. Sullivan and Another,	J. Conroy,	155 13 9	40 12 6	16 5 0	—	29 19 3
Lord Blayney,	Garde and Atkinson,	1,128 13 8	8,187 5 8	100 0 0	—	202 14 2
Richard Lalor,	James B. Kennedy,	141 9 6	345 1 6	—	—	42 2 9
Assignee of John Watkins,	James Lane,	297 1 1	469 10 3	27 8 11	—	40 11 9
Assignee of Matthew St. George,	Thomas Stratford,	135 8 1	140 2 9	—	—	52 1 1
Catherine Hardman,	B. Van Homrigh,	79 14 1	304 11 0	—	—	3 10 0
John Baker—Isaac Baker, Petitioner,	George Carmichael,	378 12 8	247 14 3	31 17 8	—	96 12 6
James Langton,	White and Fry,	400 13 2	985 2 10	38 18 4	—	157 5 10
John Shortt,	Robert Maxwell,	163 0 6	746 19 11	—	—	15 9 6
Thomas P. Carew,	Murdock Green,	316 4 7	635 13 11	13 10 2	—	148 13 0
Assignee of Thomas Richards,	C. Loughnan,	161 1 1	60 8 3	—	—	18 2 3
Denis Egan,	Louis G. O'Neill,	152 8 10	183 15 9	—	—	26 5 9
Stephen Major,	John G. St. Leger,	303 19 6	384 0 10	—	—	48 1 2
Henrietta Giles and Others,	Murdock Green,	214 7 1	637 10 0	—	—	48 15 3
Assignee of John Millar,	Andrews and Smith,	322 18 3	506 19 1	6 9 6	—	79 6 11
Thomas Erskine and Others,	G. and J. M'Neill,	85 15 5	13 16 11	—	—	10 9 9
Richard Thomas Goold,	David A. Nagle,	119 13 7	295 17 1	—	—	17 9 9
Mary Curtis and Others,	James Lane,	115 8 0	90 0 0	4 0 9	—	27 2 6
John Webb Roche,	Beamish & Armstrong,	119 18 7	210 10 0	20 17 3	—	45 17 0
Christiana Taylor,	Robert Arthur,	178 9 7	199 19 8	—	—	37 17 3
Richard Magan and Others,	W. P. Fletcher & Co.,	106 11 8	27 3 10	—	—	23 0 6
Frederick W. De Moleyns,	Patrick Scott,	347 9 4	1,222 1 2	38 16 10	—	78 7 9
W. V. L. Foster,	L. Dobbin and Co.,	258 12 1	420 6 10	4 4 0	—	76 11 6
Henry Langly,	Leonard Dobbin & Co.,	312 11 6	1,818 2 6	43 11 4	—	109 14 6
John Hanna,	Hitchcock and Black,	172 16 9	122 4 0	—	—	30 11 10
James Paxton,	Hitchcock and Black,	121 14 1	91 16 8	1 0 0	—	19 7 10
Stephen Donegan,	Thomas Young,	89 19 11	87 12 0	—	—	28 5 6
Assignee of H. F. Brennan,	Daniel Lyons,	120 16 2	40 0 0	—	—	23 6 0
Edmond John Nolan,	John Graham,	233 17 2	611 8 6	—	—	66 9 1
Administrator of Geo. Carson,	Thomas Carmichael,	108 9 4	43 11 4	5 1 6	—	28 17 9
John B. Taylor,	James B. Kennedy,	338 18 10	1,071 18 2	77 9 11	—	84 7 0
Assignee of Sir W. W. Lynar,	Gustavus Hamilton and Son,	144 12 0	420 16 0	—	—	39 9 7
William Wright and Others,	Samuel L. Frazer,	88 2 10	27 5 4	—	—	22 18 11
John Boyle,	Tisdall and Johns,	225 2 7	In owner's possession.	—	—	37 18 3
Michael Kelly and Another,	B. Synott,	155 11 7	110 13 1	4 3 0	—	42 9 9
De Burgh Birch,	William M. M'Cay,	159 8 2	In owner's possession.	—	—	32 9 3
Devisee of Jane M. Goodall,	P. King,	98 4 0	47 4 11	—	—	21 9 6
Earl of Mornington,	Garde and Atkinson,	3,798 18 5	10,781 9 0	1,778 11 6	210 2 1	1,078 7 3
Sir John C. Carden, Bart.,	George Bolton,	472 8 3	1,507 16 0	—	—	252 15 9
Thomas Noblett and Others,	George S. Wybrants,	115 3 4	38 6 0	—	—	11 8 0
George Davies,	C. B. Molony,	101 4 2	108 11 4	—	—	31 1 6
Gustavus W Lambert,	W. C. Cornwall,	934 17 0	1,792 4 2	57 19 7	—	515 6 0
Thomas Foott,	Garde and Atkinson,	91 1 6	220 10 7	25 11 0	—	2 16 0
William Cox,	Irvine and Reid,	250 10 2	375 5 10	65 4 9	—	116 9 3
Assignee of Richard Kennedy,	George Bolton,	231 0 2	140 0 0	—	—	47 5 6

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as taxed.	Rental, as stated in Petition.	Amount allowed therein for expense of Surveys.	Like for expense of Valuations.	Like for expense of Advertisements and Printing.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Assignee of Philip Dignan,	Henry A. Dillon,	219 1 4	576 14 7	18 3 3	—	60 7 10
Letitia Purcell,	Robert Langford,	187 17 0	73 1 8	—	—	31 4 3
Trustees of H. Compton,	J. W. Foley,	216 10 8	352 5 9	7 15 0	—	64 18 0
Thomas G. Grady,	Henry G. Grady,	126 13 2	281 0 0	27 1 5	—	13 8 4
Trustees of R. D. Garde,	Thomas Walsh,	129 17 2	243 13 9	—	—	37 12 0
Assignee of J. W. Anderson,	Orpen and Company,	197 8 4	438 8 10	4 18 0	5 12 4	48 12 2
Assignee of W. H. Smith,	F. G. Tinkler,	227 12 3	88 0 0	—	—	24 11 0
Nathaniel Preston,	Thomas P. Reed,	111 19 4	1,838 7 3	—	—	14 6 6
Richard Hungerford,	Francis H. Tuckey,	135 11 5	477 0 4	15 14 6	—	19 17 3
Mary Foott and Another,	James Lane,	213 14 7	248 7 2	—	—	66 11 3
Harry Jones,	Thomas Babington,	242 7 11	625 0 10	32 14 9	—	40 17 5
W. A. W. Kerr,	Alexander Dudgeon,	91 4 1	63 14 6	—	—	31 10 3
	Total,	249,289 13 6		24,770 0 0	1,392 18 10	77,353 13 2

PARTITION COSTS.

George & S. Hamilton,	Hugh Swanzy,	66 11 0	—	41 5 4	—	5 10 0
George M. Hanly,	Randle H. M'Donnell,	58 8 8	—	12 14 0	—	5 12 6
Mary Jane Fitzpatrick,	Edward Corcoran,	298 8 9	—	200 15 2	—	4 16 6
Earl of Aldborough,	John J. Brady,	44 13 2	—	—	—	5 0 0
William Garnett,	William Tatlow,	38 12 5	—	16 12 0	—	0 10 6
Henry Mitchell, jun.,	Robert Murdock,	26 14 1	—	—	—	11 12 5
Jane Bird and Others,	Thomas Ardill,	30 9 1	—	20 10 0	—	2 18 4
Earl of Aldborough,	Murdock Green,	78 15 11	—	—	—	11 9 2
Robert M'Neale,	Cornelius Denvir,	27 1 10	—	4 0 0	—	4 14 3
John Russell and Others,	Joseph Hanly,	51 2 6	—	—	—	2 6 0
Maxwell James Boyle,	Matthew Tully,	25 9 7	—	—	—	14 4 6
Geo. L. Shanahan & Others,	M. Shortall,	25 3 2	—	—	—	—
Thos. F. O'Connell & Others,	John Maturin,	76 1 5	—	30 0 0	—	12 10 8
John T. Flanagan,	Luke Duff,	38 4 2	—	25 5 9	—	2 0 9
Oliver Stoney and Others,	Arthur Webb,	40 8 3	—	—	—	1 9 6
Assignee of R. Marjoribank,	Dwyer and Lalor,	31 16 2	—	15 1 0	—	1 14 6
Martin Hayes and Others,	Murdock Green,	44 0 10	—	11 16 4	—	2 2 0
Francis Hopkins,	William Neilson,	51 19 2	—	20 4 6	—	3 5 0
Victor E. O'Ferrall,	E. Carr,	116 17 6	—	70 3 6	—	1 15 0
Rev. Edw. Herbert & Others,	James Lane,	16 14 2	—	—	—	—
Henry Grattan & Others,	Michael Hackett,	116 1 11	—	72 16 9	—	6 10 6
Jerome Tisdall,	Chas. & J. S. Gaussen,	121 10 0	—	62 1 8	—	1 12 0
Anthony J. French and Wife,	John Graham,	53 17 10	—	28 5 3	—	1 11 0
Charlotte Read and Others,	A. W. M'Creight,	174 3 7	—	120 2 0	—	0 19 0
Assignee of William Wilkins,	S. Bayly,	70 7 6	—	36 10 0	—	1 14 3
Robert Atkinson,	Robert P. Bourke,	33 12 6	—	10 4 3	—	1 12 0
Samuel Jacob and Another,	Samuel F. Adair,	58 10 10	—	6 4 1	—	—
James Foott,	Henry Flood,	81 1 0	—	35 5 10	—	2 3 0
David England Young,	—— Mayne,	30 4 6	—	—	—	1 12 0
Thomas Seaver,	John O. Woodhouse,	42 9 1	—	14 17 0	—	3 1 6
Lodge Philips and Another,	John and Chas. Ball,	60 19 4	—	17 13 3	—	6 14 0
Assignee of Thos. Richards,	Connell Loughnan,	51 7 1	—	3 10 0	—	1 13 6
Walter John Carew,	Alexander Durdin,	56 4 2	—	—	—	7 9 0
Hercules Ellis and Another,	Knox, Son, & Crookshank,	68 1 0	—	15 19 0	—	1 9 0
Edward Wrixon,	Thomas Walsh,	59 15 0	—	—	—	12 2 6
William Charles Jones,	Briscoe and Macneill,	176 15 8	—	143 7 4	—	0 13 9
James Porter,	Orr R. Gamble,	5 1 0	—	—	—	—
Wm. Armstrong & Another,	William H. Magrath,	27 10 9	—	6 14 0	—	3 2 0
John Drought,	George S. Wybrants,	37 9 2	—	12 9 6	—	1 18 0
Sarah Hannington,	Luke Duff,	28 19 0	—	10 0 0	—	5 3 9
Elizabeth Drought,	P. A. Smith,	60 9 11	—	26 10 0	—	3 12 0
John O'Connell and Another,	D. and T. Fitzgerald,	86 15 1	—	—	—	0 10 3
James Paxton,	Hitchcock and Black,	54 8 8	—	—	—	2 14 6
Myles M'Donnell,	John Eyre,	233 16 9	—	192 8 0	—	2 8 0
Thomas T. Gerrard,	Tighe and Mecredy,	93 6 1	—	22 7 3	—	4 0 0
John Morton,	Vanston and Morton,	72 19 6	—	23 10 0	—	0 18 6
Christopher Antisell,	R. G. Durdin,	88 14 9	—	44 11 4	—	3 8 9
Letitia Purcell and Another,	Robert Langford,	53 15 8	—	16 1 6	—	0 17 0
William H. Hozier,	Alexander Durdin,	39 17 11	—	5 16 6	—	11 5 3
Devisee of Michael Creagh,	Garde and Atkinson,	1,181 9 0	—	1,000 0 0	—	5 8 8
Assignee of John D. Kellett,	Francis P. Tydd,	82 11 10	—	34 8 9	—	3 13 0
Christiana Taylor,	Robert Arthur,	90 13 9	—	79 9 6	—	1 13 6
Stafford Gorman,	Hitchcock and Black,	31 5 10	—	11 11 0	—	1 2 8
Edward C. Villiers,	William Fry,	71 2 4	—	15 0 0	—	20 17 7
John Bollingbrook,	Lambert and Crozier,	116 10 10	—	67 12 9	—	6 7 0

PAPER No. 8.—A RETURN of the several Bills of Costs of Petitioners or Parties having the Carriage of the Sale, which have been taxed and certified, &c.—*continued.*

PARTITION COSTS—*continued.*

Name of Case.	Solicitor's Name.	Amount of Petitioner's Costs, as Taxed.	Rental, as stated in Petition.	Amount allowed therein for expense of Surveys.	Like for expense of Valuations.	Like for expense of Advertisements and Printing.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Elizabeth Morris and Others,	Newman and Tandy,	175 3 3	—	113 9 5	33 17 0	3 12 0
Assignee of J. O'Reilly,	Theodore Cronhelm,	31 19 10	—	5 5 0	—	1 6 6
Richard Jennings,	James Hynes,	64 17 0	—	—	—	—
Robert B. Foster,	R. C. Macnevin,	38 10 1	—	12 15 1	—	2 9 6
Robert MacNeale,	John Vincent,	10 11 4	—	—	—	—
H. D. B. Davis and Another,	John Henry Nunn,	38 9 2	—	10 1 8	—	2 3 6
Carncross T. Cullen,	Leonard Dobbin & Co.,	39 5 11	—	10 0 0	—	3 1 0
Assignee of Daniel Phelan,	Frederick Hamilton,	24 5 3	—	7 0 0	—	3 9 6
Samuel Hanna,	William Orr,	56 7 8	—	—	—	4 8 0
Geo. V. Maginis and Another,	Lucas Waring,	38 7 10	—	1 15 0	—	0 14 6
	Total,	5,417 8 0	—	2,764 0 3	33 17 0	244 13 6
	Add from page 145,	249,289 13 6	—	24,770 0 0	1,392 18 10	77,353 13 2
	Total,	254,707 1 6	—	27,534 0 3	1,426 15 10	77,598 6 8

HENRY CAREY,
Secretary.

RICHARD A. FITZGERALD,
Taxing Officer.

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